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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।

Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों और (संघ राज्यक्षेत्र प्रशासनों को छोड़ कर)
केन्द्रीय प्राधिकारियों द्वारा जारी किये गए सांविधिक आदेश और अधिसूचनाएं

Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities (other than the
Administrations of Union Territories)

भारत निर्वाचन आयोग

ELECTION COMMISSION OF INDIA

आदेश

ORDERS

नई दिल्ली, 25 जून, 1979

New Delhi, the 25th June, 1979

का० प्रा० 2681—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए बिहार विधान सभा के लिए साधारण निर्वाचन के लिए 23-मीरगंज निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री दीनानाथ प्रसाद गुप्ता, ग्राम-पो० बथुवा बाजार, जिला गोपालगंज (बिहार), लोक प्रतिनिधित्व अधिनियम, 1951 तथा सद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेख दाखिल करने में असफल रहे हैं:

S.O. 2681.—Whereas the Election Commission is satisfied that Shri Dina Nath Prasad Gupta, Village and P.O. Bathuwa Bazar, District Gopalganj (Bihar) a contesting candidate for general election to the Bihar Legislative Assembly held in June, 1977 from 23-Mirganj constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Dina Nath Prasad Gupta to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. BR-LA/23/77(62)1

और यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उनके पाग दग असफलता के लिए कोई पर्याप्त कारण या म्याथीचिस् नही है,

अतः अब, उक्त अधिनियम की धारा 10क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री दीनानाथ प्रसाद गुप्ता को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० बिहा०वि० सं०/23/77/(62)]

नई दिल्ली, 28 जून, 1979

का० प्रा० 2682—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए बिहार विधान सभा के लिए साधारण निर्वाचन के लिए 284-धनबाद निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार

श्री गोपीराम अग्रवाल, मो० कर्कन्द बाजार, पो० कुसुन्दा, जिला धनबाद, बिहार लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री गोपीराम अग्रवाल को संसद किसी भी सदन के या किसी राज्य की विधान सभा प्रथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० बिहार-वि० सं० / 284/77(63)]

New Delhi, the 28th June, 1979

S.O. 2682.—Whereas the Election Commission is satisfied that Shri Gopi Ram Agarwal, Moh. Karkend Bazar, P.O. Kusunda, District Dhanbad, Bihar a contesting candidate for general election to Bihar Legislative Assembly held in June, 1977 from 284-Dhanbad constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Gopi Ram Agarwal to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. BR-LA/284/77(63)]

का० प्रा० 2683.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए बिहार विधान सभा के लिए साधारण निर्वाचन के लिए 284-धनबाद निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री प्रदीपकुमार बनर्जी, धोवाटांड, पो० धनबाद, एवं ग्राम गोधर, पो० कुसुन्दा, जिला धनबाद, बिहार लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री प्रदीप कुमार बनर्जी को संसद के किसी भी सदन के या किसी राज्य की विधान सभा प्रथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित करता है ।

[सं० बिहार-वि० सं०/284/77(64)]

S.O. 2683.—Whereas the Election Commission is satisfied that Shri Pradeep Kumar Banerjee, Dhovatand, P.O. Dhanbad and Village Godhar, P.O. Kusunda, Distt. Dhanbad Bihar a contesting candidate for general election to the Bihar Legislative Assembly held in June, 1977 from 284-Dhanbad constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Pradeep Kumar Banerjee to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. BR-LA/284/77(64)]

का० प्रा० 2684.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए बिहार विधान सभा के लिए साधारण निर्वाचन के लिए 284-धनबाद निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री शिव प्रसाद पाण्डेय, वार्ड नं० 1, धनबाद, जिला धनबाद, बिहार लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री शिव प्रसाद पाण्डेय को संसद के किसी भी सदन के या किसी राज्य की विधान सभा प्रथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० बिहार-वि० सं०/284/77(65)]

S.O. 2684.—Whereas the Election Commission is satisfied that Shri Shiv Prasad Pandey, Ward No. 1, Dhanbad, District Dhanbad, Bihar a contesting candidate for general election to Bihar Legislative Assembly held in June, 1977 from 284-Dhanbad constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Shiv Prasad Pandey to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. BR-LA/284/77(65)]

नई दिल्ली, 29 जून, 1979

का० प्रा० 2685.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए विधान सभा के लिए साधारण निर्वाचन के लिए 183-खगड़िया निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री दिनेश कुमार, मुहल्ला जयप्रकाश नगर, खगड़िया नगर पालिका, वार्ड नं० 2, पोस्ट खगड़िया, जिला मुँगेर बिहार लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अथ, उक्त अधिनियम की धारा 10 के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री दिनेश कुमार को मंसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस प्रदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहिता घोषित करता है।

[सं. बिहार-विं. सं./183/77(66)]

New Delhi, the 29th June, 1979

S.O. 2685.—Whereas the Election Commission is satisfied that Shri Dinesh Kumar, Mohalla Jaiprakash Nagar, Khagaria Nagarpalika Ward No. 2, Post Khagaria, Distt. Monghyr Bihar, a contesting candidate for general election to Bihar Legislative Assembly held in June, 1977 from 183-Khagaria constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Dinesh Kumar to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. BR-LA/183/77(66)]

नई दिल्ली, 5 जुलाई, 1979

क्रा० प्रा० 2686 —यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए बिहार विधान सभा के लिए साधारण निर्वाचन के लिए 78-मधुबनी निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार सुरेन्द्र महासेठ, ग्राम पो० निर्मली, जिला सहरसा, बिहार लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्बर्धन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं,

और, यतः, उक्त उम्मीदवार ने, उसे सम्पर्क सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या व्यायोजित्य नहीं है ;

अतः अथ, उक्त अधिनियम की धारा 10क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री सुरेन्द्र महासेठ को मंसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस प्रदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहिता घोषित करता है।

[सं. बिहार-विं. सं./78/77(70)]

New Delhi, the 5th July, 1979

S.O. 2686.—Whereas the Election Commission is satisfied that Shri Surendra Mahaseth, Village Post Nirmali, District Saharsa, Bihar a contesting candidate for general election to Bihar Legislative Assembly held in June 1977, from 78-Madhubani constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after the notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Surendra Mahaseth to be disqualified for being

chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. BR-LA/78/77(78)]

नई दिल्ली, 11 जुलाई, 1979

क्रा० प्रा० 2687 —यतः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1977 में हुए लोक सभा के लिए साधारण निर्वाचन के लिए तिरुचिरापल्ली संसदीय निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री टी० के० रंगास्वामी, वेस्ट स्ट्रीट, तिरुचिरापल्ली, जिला तिरुचिरापल्ली (तमिलनाडु) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्बर्धन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं।

और, यतः, उक्त उम्मीदवार द्वारा दिये गये अभ्यावेदन पर विचार करने के पश्चात्, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या व्यायोजित्य नहीं है ;

अतः अथ, उक्त अधिनियम की धारा 10क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री टी० के० रंगास्वामी को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस प्रदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहिता घोषित करता है।

[सं. तं. ना०-सं० सं०/27/77(6)]

New Delhi, the 11th July 1979

S.O. 2687.—Whereas the Election Commission is satisfied that Shri T. K. Rengasamy, West Street, Tirupparaithurai, District Tiruchirappalli (Tamil Nadu), a contesting candidate for general election to the House of the People held in March, 1977 from 6-Tiruchirappalli parliamentary constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas after considering the representation made by the said candidate the Election Commission is further satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri T. K. Rengasamy to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[TN-HP/27/77(6)]

क्रा० प्रा० 2688. —यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए तमिलनाडु विधान सभा के लिए साधारण निर्वाचन के लिए 34-गुनापेट विधान सभा निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री डी० प्रभुगुप्त, 1/23, अण्णास्वामी स्ट्रीट, गाँव पोन्ई ताल्लुक वाताजाह, जिला उत्तर थारकाट (तमिलनाडु) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्बर्धन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और, यतः, उक्त उम्मीदवार ने, उसे सम्पर्क सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या व्यायोजित्य नहीं है ;

अतः अथ, उक्त अधिनियम की धारा 10क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री डी० प्रभुगुप्त को मंसद के किसी भी सदन

के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस प्रादेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० न० ना०-वि० सं०/34/77(41)]

S.O. 2688.—Whereas the Election Commission is satisfied that Shri D. Arumugam, 1/23, Appasami Street, Ponnai Village, Walajah Taluk, North Arcot District (Tamil Nadu), a contesting candidate for general election to the Tamil Nadu Legislative Assembly held in June, 1977 from 34-Ranipet assembly constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri D. Arumugam to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-LA/34/77(41)]

नई दिल्ली, 19 जुलाई, 1979

का० प्रा० 2689.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 56-बहेरी निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री रमेश चन्द्र, मुहल्ला कानूनगोयान, बहेरी, जिला बरेली (उत्तर प्रदेश) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और यतः, उक्त उम्मीदवार ने, समयक सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या व्यायोजित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री रमेश चन्द्र को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस प्रादेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० उ० प्र०-वि० सं०/56/77(25)]

New Delhi, the 19th July, 1979

S.O. 2689.—Whereas the Election Commission is satisfied that Shri Ramesh Chandra, Mohalla Kanungoyan, Baheri, District Barelilly (Uttar Pradesh) a contesting candidate for general election to the Uttar Pradesh Legislative Assembly held in June, 1977 from 56-Baheri constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Ramesh Chandra to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/56/77(25)]

का० प्रा० 2690.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 53-नवाबगंज निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री भगवत सरन, ग्राम व डा० अहमदाबाद, तहसील नवाबगंज, जिला बरेली (उत्तर प्रदेश) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और यतः, उक्त उम्मीदवार ने, समयक सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या व्यायोजित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री भगवत सरन को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस प्रादेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० उ० प्र०-वि० सं०/53/77(26)]

S.O. 2690. Whereas the Election Commission is satisfied that Shri Bhagwat Saran, village and Post Ahmedabad Tehsil Nawabganj, District Barelilly (Uttar Pradesh) a contesting candidate for general election to the Uttar Pradesh Legislative Assembly held in June, 1977 from 53-Nawabganj constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Bhagwat Saran, to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/53/77(26)]

नई दिल्ली, 17 जुलाई, 1979

का० प्रा० 2691.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून 1977 में हुए पंजाब विधान सभा के लिए साधारण निर्वाचन के लिए 49 टोड़ा निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री रबेल सिंह सुपुत्र श्री सुन्दर सिंह, वार्ड नं० 4, मुकेरिया, तह० दसूया जिला होशियारपुर (पंजाब) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और यतः, उक्त उम्मीदवार ने समयक सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण व्यायोजित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री रबेल सिंह को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस प्रादेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० पंजाब-वि० सं०/49/77]]

New Delhi, the 17th July, 1979

S.O. 2691.—Whereas the Election Commission is satisfied that Shri Ravail Singh, S/o Shri Sunder Singh, Ward No. 4, Mukerian, Tehsil Dasuya, District Hoshiarpur (Punjab) a

contesting candidate for general election to the Punjab Legislative Assembly held in June, 1977 from 49-Tanda constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Ravail Singh to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. PB-LA/49/77]

नई दिल्ली, 18 जुलाई, 1979

क्र० प्र० 2692.—यह, निर्वाचन आयोग का समाधान हो गया है कि जून, 1979 में हुए मध्य प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 187-बिछिया (अ० ज० जा०) निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री फूल सिंह, गांव जाटो, पो० घुघरी, तह० मण्डला, जिला मण्डला, (मध्य प्रदेश) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्दीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और यह, उक्त उम्मीदवार ने सम्यक सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण प्रस्तुत नहीं किया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री फूल सिंह को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस प्रदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं न० प्र० बि० म० 187/77]

New Delhi, the 18th July, 1979

S.O. 2692.—Whereas the Election Commission is satisfied that Phool Singh, Village Lato, P.O. Ghugri, Teh. and Distt. Mandla (Madhya Pradesh) a contesting candidate for general election to the Madhya Pradesh Legislative Assembly held in June, 1977 from 187-Bichhia (S. T.) constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Phool Singh to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. MP-LA/187/77]

क्र० प्र० 2693.—यह, निर्वाचन आयोग का समाधान हो गया है कि जून, 1979 में हुए मध्य प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 190-शाजापुर (अ० ज० जा०) निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री नारायण सिंह धुर्बे, ग्राम पिपराया, पो० बिकमपुर, तहसील छिन्नी, जिला मण्डला (मध्य प्रदेश) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्दीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और यह, उक्त उम्मीदवार ने, सम्यक सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण प्रस्तुत नहीं किया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री नारायण सिंह धुर्बे को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस प्रदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० म० प्र० बि० स०/190/77]

S.O. 2693.—Whereas the Election Commission is satisfied that Shri Narayan Singh Dhurbe, Village Pipraiya, P.O. Bikrampur, Teh. Dindori, District Mandla (Madhya Pradesh) a contesting candidate for general election to the Madhya Pradesh Legislative Assembly held in June, 1977 from 190-Shahpura (ST) constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Narayan Singh Dhurbe to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. MP-LA/190/77]

क्र० प्र० 2694.—यह, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए मध्य प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 258-शाजापुर निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री लेखराज, ग्राम ममान बरोदिया, तह० शाजापुर, जिला शाजापुर (मध्य प्रदेश) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्दीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और यह, उक्त उम्मीदवार ने सम्यक सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण प्रस्तुत नहीं किया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री लेखराज को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने के लिए इस प्रदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० म० प्र० बि० स०/258/77]

S.O. 2694.—Whereas the Election Commission is satisfied that Shri Lekhraj, Village Maman Barodiya, Tehsil Shajapur, District Shajapur (Madhya Pradesh) a contesting candidate for general election to the Madhya Pradesh Legislative Assembly held in June, 1977 from 258-Shajapur constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Lekhraj to be disqualified for being chosen as, and for being,

a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. MP-LA/258/77]

आदेश

नई दिल्ली, 24 जुलाई, 1979

क्र० प्र० 2695.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 35-ठाकुरद्वारा निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री नन्हें महमूदपुरलाल, डा० डिलीरी जिला मुगदाबाद (उत्तर प्रदेश) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित समय के अन्दर तथा रीति से अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

और, यतः, उक्त उम्मीदवार द्वारा दिये गये अभ्यावेदन पर विचार करने के पश्चात् निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ।

अतः, अब उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री नन्हें को सदन के किसी भी सदन या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० प्र० बि० सं० /35/77/(27)]

आदेश से,

ORDER

New Delhi, the 24th July, 1979

S.O. 2695.—Whereas the Election Commission is satisfied that Shri Nanhey, Mahmudpural, P. O. Dilari, District Moradabad, (U.P.) a contesting candidate for general election to the Uttar Pradesh Legislative Assembly held in June, 1977 from 35-Thakurdwara constituency, has failed to lodge an account of his election expenses within the time and in the manner as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas, after considering the representation made by the said candidate, the Election Commission is further satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said act, the Election Commission hereby declares the said Shri Nanhey to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/35/77(27)]

By order,

आदेश

नई दिल्ली, 17 जुलाई, 1979

क्र० प्र० 2696.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए तमिलनाडु विधान सभा के लिए साधारण निर्वाचन के लिए 48-वेल्लोर सभा निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री बी० धक्षिणामूर्थी, 62-थेन्नामरम स्ट्रीट, कोसापेट, वेल्लोर, जिला उत्तर अर्काट (तमिलनाडु), लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं,

और, यतः, उक्त उम्मीदवार ने उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः, अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री बी० धक्षिणामूर्थी को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० बि० सा०/48/77(44)]

ORDER

New Delhi, the 17th July, 1979

S.O. 2696.—Whereas the Election Commission is satisfied that Shri V. Dhakshinamoorthy, 62-Thennamaram Street, Kospet, Vellore District, North Arcot (Tamil Nadu), a contesting candidate for general election to the Tamil Nadu Legislative Assembly held in June, 1977 from 48-Vellore assembly constituency, has failed to lodge any account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri V. Dhakshinamoorthy, to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-LT/48/77(44)]

आदेश

क्र० प्र० 2697.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए तमिलनाडु विधान सभा के लिए साधारण निर्वाचन के लिए 41-तिरुप्पाटूर सभा निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री के० जयरामन, 3-कटचेरी स्ट्रीट, तिरुप्पाटूर टाउन, जिला उत्तर अर्काट (तमिलनाडु), लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः, अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री के० जयरामन को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

आदेश से

[सं० तं० ना०-बि० सं० /41/77 (43)]

बी० नागसुब्रह्मय्यन, सचिव

ORDER

S.O. 2697.—Whereas the Election Commission is satisfied that Shri K. Jayaraman, 3-Cutchery Street, Tirupattur Town, North Arcot District (Tamil Nadu), a contesting candidate for general election to the Tamil Nadu Legislative Assembly held in June, 1977 from 41-Tirupattur assembly constituency has failed to lodge any account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notices, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri K. Jayaraman to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-LA/41/77/(43)]
V. NAGASUBRAMANIAN, Secy.

निधि न्याय और कम्पनी कार्य मंत्रालय

(न्याय विभाग)

नोटिस

नई दिल्ली, 16 जुलाई, 1979

क्रा० प्रा० 2698.—इसके द्वारा, लेख्य प्रमाणक नियम (नोटरीज क्लस), 1956 के नियम 8 के अनुसार सक्षम प्राधिकारी द्वारा सूचना दी जाती है, कि उक्त प्राधिकारी को श्री हरीचन्द एडवोकेट 6/2 वेस्ट पटेल नगर नई दिल्ली ने उक्त नियमों के नियम 4 के अधीन, दिल्ली, वेस्ट पटेल नगर में लेख्य प्रमाणक (नोटरी) का काम करने की नियुक्ति के लिये आवेदन-पत्र भेजा है।

उक्त व्यक्ति को लेख्य प्रमाणक के रूप में नियुक्ति के बारे में यदि कोई आपत्तियाँ हों तो वे इस नोटिस के प्रकाशित होने के चौदह दिन के अन्दर नीचे हस्ताक्षर करने वाले को लिख कर भेज दिये जायें।

[संख्या एफ० 22/50/79-न्याय]

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS

(Department of Justice)

NOTICE

New Delhi, the 16th July, 1979

S.O. 2698.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Hari Chand, Advocate 6/2, West Patel Nagar, New Delhi for appointment as a Notary to practise in West Patel Nagar, New Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 22/50/70-Jus.]

नोटिस

नई दिल्ली, 24 जुलाई, 1979

क्रा० प्रा० 2699.—इसके द्वारा, लेख्य प्रमाणक नियम (नोटरीज क्लस), 1956 के नियम 8 के अनुसार, सक्षम प्राधिकारी द्वारा सूचना दी जाती है, कि उक्त प्राधिकारी को श्री जे० एल० बतारा एडवोकेट, 572 झील कुरान्जा, दिल्ली-51 ने उक्त नियमों के नियम 4 के अधीन, दिल्ली में लेख्य प्रमाणक (नोटरी) का काम करने की नियुक्ति के लिये आवेदन-पत्र भेजा है।

उक्त व्यक्ति को लेख्य प्रमाणक के रूप में नियुक्ति के बारे में यदि कोई आपत्तियाँ हों तो वे इस नोटिस के प्रकाशित होने के चौदह दिन के अन्दर नीचे हस्ताक्षर करने वाले को लिख कर भेज दिये जायें।

[संख्या एफ० 22/51/79-न्याय]

स० द० हिन्दी, सक्षम प्राधिकारी

NOTICE

New Delhi, the 24th July, 1979

S.O. 2699.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri J. L. Batra, Advocate, 572, Jheel Kuranja, Delhi-51 for appointment as a Notary to practise in Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 22/51/79-Jus]

L. D. HINDI, Competent Authority

गृह मंत्रालय

(कार्मिक और प्रशासनिक सुधार विभाग)

प्रवेश

नई दिल्ली, 26 जुलाई, 1979

क्रा० प्रा० 2700.—दिल्ली विशेष पुलिस स्थापना अधिनियम 1946 (1946 का 45) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) के द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उत्तर प्रदेश सरकार की सहमति से, एतद्वारा प्रसीगढ़ तथा दादरी (उत्तर प्रदेश) के उपद्रवों के मामलों के संबंध में पुलिस स्टेशन सिविल लाईन, प्रसीगढ़ के 1979 के अपराध संख्या 253 दिनांक 9-5-79, 254 दिनांक 10-5-79, 255 दिनांक 10-5-79, 256 दिनांक 10-5-79, 257 दिनांक 11-5-79, 257-ए, दिनांक 12-5-79, 257-बी, दिनांक 12-5-79, 257-सी, दिनांक 12-5-79, 257-डी दिनांक 15-5-79, 257-ई दिनांक 17-5-79, 257-एफ दिनांक 21-5-79, 258 दिनांक 11-5-79, 258-ए दिनांक 11-5-79, 258-बी दिनांक 11-5-79, 258-सी दिनांक 11-5-79, 258-डी दिनांक 12-5-79, 258-ई दिनांक 13-5-79, 258-एफ दिनांक 13-5-79, 258-जी दिनांक 13-5-79, 258-एच दिनांक 14-5-79, 258-आई दिनांक 14-5-79, 258-जे दिनांक 14-5-79, 258-के दिनांक 14-5-79, 258-एल दिनांक 15-5-79, 258-एम दिनांक 15-5-79, 258-एन दिनांक 16-5-79, 258-ओ दिनांक 16-5-79, 258-पी दिनांक 16-5-79, 258-क्यू दिनांक 16-5-79, 258-आर दिनांक 16-5-79, 258-एस दिनांक 16-5-1979, 258-टी दिनांक 16-5-79, 258-यू दिनांक 17-5-79, 258-वी दिनांक 18-5-79, 258-डब्ल्यू दिनांक 19-5-79, 258-एक्स दिनांक 19-5-79, 258-वाई दिनांक 27-5-79, 259 दिनांक 11-5-79, 260 दिनांक 11-5-79, 261 दिनांक 11-5-79, 262 दिनांक 11-5-79, 275 दिनांक 28-5-79 तथा 283 दिनांक 1-6-79 तथा उत्तर प्रदेश राज्य में राजकीय रेलवे पुलिस थाना प्रसीगढ़ के 1979 के अपराध संख्या 94 दिनांक 10-5-79, 94-ए दिनांक 12-5-79, 94-बी दिनांक 12-5-79 तथा 94-सी दिनांक 12-5-79 के संबंध में भारतीय दण्ड संहिता (1960 का 45) की धारा 147, 148, 149, 277, 302, 307, 323, 325, 332, 336, 342, 354, 379, 392, 395, 397, 398, 427, 435, 436, 457 तथा 495 और भारतीय रेल अधिनियम 1890 (1890 का 9) की धारा 120 के अधीन दण्डनीय अपराधों तथा उक्त उपराधों में से एक अथवा अधिक अपराध के संबंध में या उनसे संबंधित अथवा, दुष्प्रेरणों और चरित्रों तथा उन्हीं तथ्यों से उत्पन्न हुई उसी कार्रवाई के दौरान किए गए किसी अन्य अपराध का अन्वेषण करने के लिए, दिल्ली विशेष पुलिस स्थापना सदस्यों की शक्तियों एवं अधिकारिता का समस्त उत्तर प्रदेश राज्य में विस्तार करती है।

[सं० 228/9/79-ए०बी०डी०-II]

टी० के० सुभाषगुप्त, ध्वर सचिव

MINISTRY OF HOME AFFAIRS

(Department of Personnel & Administration Reforms)

ORDER

New Delhi, the 26th July, 1979

S.O. 2700.—In exercise of the powers conferred by sub-section (1) of Section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the Government of the State of Uttar Pradesh, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Uttar Pradesh for the investigation of offences punishable under sections 147, 148, 149, 277, 302, 307, 323, 325, 332, 336, 342, 354, 379, 392, 395, 397, 398, 427, 435, 436, 457, and 495 of the Indian Penal Code (45 of 1860), section 120 of the Indian Railways Act 1890 (9 of 1890) and attempts, abetments and conspiracies in relation to or in connection with one or more of the said offences and any other offence committed in the course of the same transaction arising out of the same facts in regard to Civil Lines Police Station, Aligarh Crime Nos. 253 dated 9-5-79, 254 dated 10-5-79, 255 dated 10-5-79, 256 dated 10-5-79, 257 dated 11-5-79, 257-A dated 12-5-79, 257-B dated 12-5-79, 257-C dated 12-5-79, 257-D dated 15-5-79, 257-E dated 17-5-79, 257-F dated 21-5-79, 258 dated 11-5-79, 258-A dated 11-5-79, 258-B dated 11-5-79, 258-C dated 11-5-79, 258-D dated 12-5-79, 258-E dated 13-5-79, 258-F dated 13-5-79, 258-G dated 13-5-79, 258-H dated 14-5-79, 258-I dated 14-5-79, 258-J dated 14-5-79, 258-K dated 14-5-79, 258-L dated 15-5-79, 258-M dated 15-5-79, 258-N dated 16-5-79, 258-O dated 16-5-79, 258-P dated 16-5-79, 258-Q dated 16-5-79, 258-R dated 16-5-79, 258-S dated 16-5-79, 258-T dated 16-5-79, 258-U dated 17-5-79, 258-V dated 18-5-79, 258-W dated 19-5-79, 258-X dated 19-5-79, 258-Y dated 27-5-79, 259 dated 11-5-79, 260 dated 11-5-79, 261 dated 11-5-79, 262 dated 11-5-79, 275 dated 28-5-79 and 283 dated 1-6-79 of 1979 and Government Railway Police Station, Aligarh in the State of Uttar Pradesh Crime Nos. 94 dated 10-5-79, 94-A dated 12-5-79, 94-B, dated 12-5-79 and 94-C dated 12-5-79 of 1979 relating to Aligarh and Dadri (Uttar Pradesh) riot cases.

[No. 228/9/79-AVD II]

T. K. SUBRAMANIAN, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 7 जून, 1979

आय-कर

क्रा०सं० 2701.—केन्द्रीय सरकार, आयकर अधिनियम, 1961 (1961 का 43) की धारा 80ठ की उपधारा (1) के खण्ड (ii) और धारा 193 के परन्तुक के खण्ड (ii-अ) तथा धनकर अधिनियम, 1957 (1957 का 27) की धारा 5 की उपधारा (1) के खण्ड 24 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, 1-4-76 से 31-12-76 के दौरान राज्य निजली बोर्डों, एग्री उद्योग निगमों, आवास बोर्डों (प्राचीन आवास के लिए); सहकारी प्रसंस्करण और मार्केटिंग सोसाइटियों और अन्य अनुमोदित राज्य प्रायोजित संस्थाओं द्वारा जारी डिबेंचरों को उक्त खण्डों के प्रयोजनों के लिए विनिश्चित करती है :

परन्तु यह तब जब ऐसे डिबेंचर निम्नलिखित शर्तें पूरी करें, अर्थात् :—

- (i) वे मूलधन के प्रतिस्वाय या भ्रज के संचय के लिए किसी सरकार द्वारा प्रत्याभूत नहीं हैं;
- (ii) वे व्यष्टियों को, जिनके अन्तर्गत दो या अधिक व्यष्टि संयुक्त रूप से आते हैं, जारी किये गये हैं;
- (iii) वे इस शर्त के अधीन जारी किये जाते हैं कि उन्हें खण्ड (ii) में वर्णित व्यष्टि से भिन्न किसी व्यष्टि को अन्तर्गत नहीं किया जा सकता है ;

(iv) उन पर प्रति वर्ष 12 प्रतिशत से अधिक की दर से व्याज संवय होगा ।

[सं० 2853 (क्रा०सं० 178/18/78-आ०क० (ए-1))]

जे० पी० शर्मा, निदेशक

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 7th June, 1979

INCOME-TAX

S.O. 2701.—In exercise of the powers conferred by clause (ii) of sub-section (1) of Section 80L, and clause (ii-b) of the proviso to Section 193 of the Income-tax Act, 1961 (43 of 1961), and clause XXIV of sub-section (1), Section 5 of the Wealth-tax Act, 1957 (27 of 1957), the Central Government hereby specifies the debentures issued by the State Electricity Boards, the Agro Industries Corporations, Housing Boards (for rural housing); Co-operative Processing and Marketing Societies and other approved States sponsored institutions during 1-4-76 to 31-12-76, in pursuance of any scheme for raising resources in rural areas, for the purpose of the said clauses :

Provided that such debentures satisfy the following conditions, namely :—

- (i) they are not guaranteed by any Government as to the repayment of the principal or payment of interest ;
- (ii) they are issued only individuals including two or more individuals jointly ;
- (iii) they are issued subject to the condition that they cannot be transferred to any person other than mentioned in clause (ii);
- (iv) they carry interest at a rate not exceeding 12 per cent per annum.

[No. 2853 (F. No. 178/18/78-IT(AI))]

J. P. SHARMA, Director

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 14 जुलाई, 1979

लुधियाना

आय-कर

क्रा०सं० 2702.—सहायक आयुक्त (अपील) लुधियाना रेंज की अधि-कारिता के संबंध में केन्द्रीय प्रत्यक्ष कर बोर्ड की अधिसूचना सं० 2383 (क्रा०सं० 261/7/78-आई०टी०जे०), तारीख 7 जुलाई, 1978 में,—

पृष्ठ 2 पर, अनुसूची के स्तम्भ 2 में लुधियाना रेंज के सामने मव (2) में,—

“केन्द्रीय सक्ति 1 और 2, लुधियाना” के स्थान पर “सभी केन्द्रीय सक्ति जिनका मुख्यालय लुधियाना में है” पढ़ें ।

[सं० 2404 (क्रा०सं० 261/11/78-आई०टी०जे०)]

CENTRAL BOARD OF DIRECT TAXES

CORRIGENDUM

New Delhi, the 14th July, 1978

INCOME TAX

S.O. 2702.—In the Notification of the Central Board of Direct Taxes No. 2383 (F. No. 261/7/78-ITJ) dated the 7th July, 1978 for the jurisdiction of the Appellate Assistant Commissioner, Ludhiana Range.

In Column 2 of the Schedule against Ludhiana Range at Page 2 in item (2)

FOR "Central Circles I and II, Ludhiana"

READ "All Central Circles having headquarters at Ludhiana".

[No. 2404/(F. No. 261/11/78-ITJ)]

क्रा०स्रा० 2703—आयुक्त, (अपील), पटियाला की अधिकारिता संबंधी केन्द्रीय प्रत्यक्ष कर बोर्ड की अधिसूचना सं० 2382 (क्रा०सं० 261/8/78-आई०टी०जे०), तारीख 7 जुलाई, 1978 में,—

पृष्ठ 2 पर अनुसूची के स्तम्भ 2 में, मद (1) में,—

"क्रा०स्रा०, पटियाला की अधिकारिता के भीतर सभी वार्ड/सर्किल (लुधियाना और खन्ना में स्थित है तथा केन्द्रीय सर्किलों को छोड़कर) जिनके अन्तर्गत सम्पदा शुल्क सर्किल भी है, के स्थान पर, 'क्रा०स्रा०, पटियाला की अधिकारिता के भीतर सभी वार्ड/सर्किल (चंडीगढ़, लुधियाना और खन्ना में स्थित और केन्द्रीय सर्किलों को छोड़कर) सभी वार्ड/सर्किल जिनके अन्तर्गत सम्पदा शुल्क सर्किल भी है' पढ़ें।

और

अनुसूची के पृष्ठ 2 पर स्तम्भ 3 में मद 1 में,—

"आय-कर आयुक्त, पटियाला की अधिकारिता के भीतर, लुधियाना में स्थित रेंजों को छोड़कर सभी रेंज" के स्थान पर, "आय-कर आयुक्त, पटियाला की अधिकारिता के भीतर, लुधियाना और चंडीगढ़ में स्थित रेंजों को छोड़कर, सभी रेंज" पढ़ें।

[सं० 2405 (क्रा०सं० 261/11/78-आई०टी०जे०)]

S.O. 2703.—In the Notification of the Central Board of Direct Taxes No. 2382 (F. No. 261/8/78-ITJ) dated the 7th July, 1978 for the jurisdiction of the Commissioner (Appeals) Patiala :

In Column 2 of the Schedule at Page 2 in item (f)

For "All Wards/Circles (excluding those Located at Ludhiana and Khanna and Central circles) including R.D. circles within the jurisdiction of C.I.T. Patiala".

READ "All Wards/circles (excluding those located at Chandigarh, Ludhiana and Khanna and Central circles) including E.D. circles within the jurisdiction of C.I.T. Patiala"

AND

In Column 3 of the Schedule at Page 2 in item 1

For "All Ranges excluding ranges located at Ludhiana within the jurisdiction of Commissioner of Income-tax, Patiala."

Read "All Ranges excluding ranges located at Ludhiana & Chandigarh within the jurisdiction of Commissioner of Income-tax, Patiala."

[No. 2405 (F. No. 261/11/78-ITJ)]

नई दिल्ली, 18 जुलाई, 1978

क्रा०स्रा० 2704—सहायक आयुक्त (अपील), नई दिल्ली की केन्द्रीय प्रत्यक्ष कर बोर्ड की अधिकारिता संबंधी अधिसूचना सं० 2383 (क्रा० सं० 261/7/78-आई०टी०जे०) तारीख 7 जुलाई, 1978 में,—अनुसूची के स्तम्भ 2 में, सहायक आयुक्त (अपील), रेंज-छ, नई दिल्ली के मामले, 426 GI/79-2

मद (8) में, ब (अतिरिक्त) के पश्चात्, "ब" का लोप करें और इसके स्थान पर (छ) अन्तःस्थापित करें।

[सं० 2416 (क्रा०सं० 261/2/78-आई०टी०जे०)]

New Delhi, the 18th July, 1978

S.O. 2704.—In the Notification of the Central Board of Direct Taxes No. 2383 (F. No. 261/7/78-ITJ) dated the 7th July, 1978 for the jurisdiction of Appellate Assistant Commissioners at New Delhi :

In Column 2 of the Schedule against AAC 'G' Range New Delhi.

In item (viii) after F (Addl.) Omit 'F' and insert 'G' in its place.

[No. 2416 (F. No. 261/2/78-ITJ)]

क्रा०स्रा० 2705.—आयुक्त (अपील), नई दिल्ली की अधिकारिता संबंधी केन्द्रीय प्रत्यक्ष कर बोर्ड की अधिसूचना सं० 2328 (क्रा०सं० 261/8/78-आई०टी०जे०) तारीख 7 जुलाई, 1978 में,—

अनुसूची के स्तम्भ 2 और 3 में, आयुक्त (अपील)-1, नई दिल्ली के मामले,—

"IV-ब" का लोप करें,

और

अनुसूची के स्तम्भ 2 और 3 में, आयुक्त (अपील)-V, नई दिल्ली के मामले,—

II-ग और IV-घ के बीच में IV-ख अन्तःस्थापित करें।

अनुसूची के स्तम्भ 2 में आयुक्त (अपील)-I, नई दिल्ली के मामले,—रेंज 1क, 1ब, 1ग, और 1घ अन्तःस्थापित करें।

और

अनुसूची के स्तम्भ 3 में, आयुक्त (अपील) 1, नई दिल्ली के मामले रेंज 1क और 1घ के बीच 1-ब, 1-ग अन्तःस्थापित करें।

[सं० 2417 (क्रा०सं० 261/2/78-आई०टी०जे०)]

S.O. 2705.—In the Notification of the Central Board of Direct Taxes No. 2382 (F. No. 261/8/78-ITJ) dated the 7th July, 1978 for the Jurisdiction of the Commissioners (Appeals) at New Delhi.

In Column 2 and 3 of the Schedule against Commissioner (Appeals)-IV New Delhi.

OMIT "IV-B"

AND

In Column 2 and 3 of the Schedule against Commissioner (Appeals) V, New Delhi.

Insert IV-B in between II-C and IV-D.

In Column 2 of the Schedule against Commissioner (Appeals)-I, New Delhi.

Insert Ranges IA, IB, IC and ID.

AND

In Column 3 of the Schedule against Commissioner (Appeals)-I, New Delhi.

Insert I-B, I-C in between Ranges I-A and I-D.

[No. 2417 (F. No. 261/2/78-ITJ)]

कां.प्रा. 2706.—आय-कर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों और इस निमित्त उसे समर्थ बनाने वाली अन्य सभी शक्तियों का प्रयोग करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड, समय-समय पर यथा समीक्षित अपनी अधिसूचना सं. 2383 (फा.सं. 261/7/78-आई.टी.जे.) तारीख 7-7-78 से संलग्न अनुसूची II में निम्नलिखित संशोधन करता है।

पृष्ठ 3 पर, सहायक आयुक्त (अपील) नई दिल्ली की अनुसूची में,—

(1) क्रम सं. 5 के सामने, (इ) रेंज नई दिल्ली के स्तम्भ 1 और 2 में निम्नलिखित जोड़ा जायेगा,—

स्तम्भ 1

स्तम्भ 2

सहायक आयुक्त (अपील) इ-रेंज, (VIII) जिला III-क(1) से III-क नई दिल्ली (10) और उसके अधीन वार्ड का कोई उत्तरवर्ती सृजन।

(2) क्रम संख्या 6 के सामने, “ख” रेंज नई दिल्ली के स्तम्भ 1 और 2 में निम्नलिखित जोड़ा जायेगा,—

स्तम्भ 1

स्तम्भ 2

सहायक आयुक्त (अपील), नई दिल्ली। (IV) जिला III-ख(1) से III-ख (10) और उसके अधीन वार्ड का कोई उत्तरवर्ती सृजन।

(V) जिला III-घ(1) से III-घ (8) और उसके अधीन वार्ड का कोई उत्तरवर्ती सृजन।

(3) क्रम संख्या 7 के सामने “छ” रेंज, नई दिल्ली के स्तम्भ 1 और 2 में निम्नलिखित जोड़ा जायेगा,—

सहायक आयुक्त (अपील) नई दिल्ली (IX) जिला II-ग(1) से III-ग(10) और उसके अधीन वार्ड का कोई उत्तरवर्ती सृजन।

यह आदेश 15-7-78 से प्रभावी होंगे।

[सं. 2418-(फा.सं. 261/2/78-आई.टी.जे.)]

S.O. 2706.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling it in that behalf, the Central Board of Direct Taxes hereby makes the following amendments to the Schedule II appended to its Notification No. 2383 dated 7-7-78 in F. No. 261/7/78-ITJ as amended from time to time.

IN THE SCHEDULE OF A.A.C AT PAGE 3 AT NEW DELHI—

(1) Against S.No. 5 for 'E' Range, New Delhi in Column 1 and 2 the following shall be added :—

Column 1

Column 2

A.A.C. 'E' Range, New Delhi . (viii) Distt. III-A (1) to III-A(10) and any subsequent creation of Ward thereunder.

(2) Against S. No. 6 for 'F' Range, New Delhi in Column 1 & 2 the following shall be added :—

Column 1

Column 2

A.A.C. 'F' Range, New Delhi . (iv) Distt. III-B(1) to III-B(10) and any subsequent creation of ward thereunder.

(v) Distt. III-D(1) to III-D(8) and any subsequent creation of Ward thereunder.

(3) Against S.No. 7 for 'G' Range, New in Column 1 & 2 the following shall be added :—

A.A.C 'G' Range, New Delhi (ix) Distt. III-C(1) to III-C(10) and any subsequent creation of ward thereunder.

This order shall take effect from 15-7-78.

[No. 2418 (F.No. 261/2/78-ITJ)]

नई दिल्ली, 3 अगस्त, 1979

कां.प्रा. 2707.—सहायक आयुक्त आय-कर (अपील), कलकत्ता की अधिकारिता संबंधी केन्द्रीय प्रत्यक्ष कर बोर्ड की अधिसूचना सं. 2383 (फा.सं. 261/7/78-आई.टी.जे.) तारीख 7 जुलाई, 1978 में,—

अनुसूची के पृष्ठ 3 पर स्तम्भ 1 में,—

“सहायक आयुक्त (अपील) रेंज-14, कलकत्ता” के स्थान पर “सहायक आयुक्त (अपील) जलपाईगुरी रेंज, जलपाईगुरी” पढ़ें।

[सं. 2458(फा.सं. 261/13/78-आई.टी.जे.)]

New Delhi, the 3rd August, 1978

S.O. 2707.—In the Notification of the Central Board of Direct Taxes No. 2383 (F. No. 261/7/78-ITJ) dated the 7th July, 1978 for the Jurisdiction of the Appellate Assistant Commissioners of Income-tax, Calcutta.

In Column 1 of the Schedule at Page 3

FOR “AAC” Range XIV Calcutta.

READ “AAC” Jalpaiguri Range, Jalpaiguri”.

[No 2458 (F. No. 261/13/78-ITJ)]

नई दिल्ली, 21 जुलाई, 1979

कां.प्रा. 2708.—आय-कर अधिनियम, 1961 (1961 का 43) की धारा 121-क की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग और अधिसूचना सं. 2382 (फा.सं. 261/8/78-आई.टी.जे.) तारीख 7 जुलाई, 1978 को अधिकृत करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड निदेश देता है कि ताबे की अनुसूची के स्तम्भ (1) में विनिर्दिष्ट भारमाधन करने वाले आयकर आयुक्त (अपील) उसके स्तम्भ (2) और स्तम्भ (3) की तत्संबंधी प्रविष्टि में विनिर्दिष्ट आयकर, वार्डों, मकिलों, जिला और रेंजों में ऐसे सभी व्यक्तियों के बारे में जिन पर आयकर या अतिकर या व्याज-कर निर्धारित किया गया है, और जो आयकर अधिनियम, 1961 की धारा 246 की उपधारा (1) के खण्ड (क) से (ज), कम्पनी (लाभ) अतिकर अधिनियम, 1964 (1964 का 7) की धारा 2 की उपधारा (1), व्याज कर अधिनियम, 1974 (1974 का 45) की धारा 15 की उपधारा (1) में उल्लिखित किसी आदेश से व्यक्तित्व है और ऐसे व्यक्तियों या व्यक्ति वर्गों के बारे में भी, जिनके लिये बोर्ड ने आयकर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खण्ड (i) के उपबन्धों के अनुसार निदेश दिया है या भविष्य में निदेश, वे, अपने कर्तव्यों का पालन करेंगे।

अनुसूची		
भार साधन और मुख्यालय	आयकर वार्ड और सर्किल	सहायक आयकर आयुक्त (निरीक्षण) का रेंज
1	2	3
आयकर आयुक्त (अपील) - 1, केन्द्रीय सफिल 1 से कानपुर	6 तक, कानपुर	आयकर आयुक्त (केन्द्रीय) कानपुर की अधिकाृता में के सभी रेंज
आयकर आयुक्त (अपील) - 2, कानपुर (इस समय मुख्यालय, आगरा में है)	1 आयकर आयुक्त कानपुर की अधिकाृता में के सपरा कर सफिल सफिल सभी आयकर वार्ड/सफिल	आयकर आयुक्त कानपुर की अधिकाृता में के सभी रेंज
	2 आयकर आयुक्त आगरा की अधिकाृता में के सपरा कर सफिल सभी आयकर वार्ड सफिल	आयकर आयुक्त आगरा की अधिकाृता में के सभी रेंज

जहां कोई आयकर सफिल, वार्ड या जिला या उसका भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज का अन्तर्गत हो जाता है, वहां उन आयकर सफिल वार्ड या जिलों या उनके भाग में किये गये निर्धारणों से उत्पन्न होने वाली और उस रेंज के, जिसमें यह आयकर सफिल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, आयकर आयुक्त (अपील) के समक्ष इस अधिसूचना की तारीख के ठीक पूर्व लिखित अपीलें उस तारीख से जिस तारीख को यह अधिसूचना प्रभावी होती है, उस रेंज के, जिसको उस सफिल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है आयकर आयुक्त (अपील) की अन्तर्गत की जायेगी और उसके द्वारा उन पर कार्यवाही की जायेगी।

यह अधिसूचना 1-8-1979 से प्रभावी होगी।

[सं० 2945(फा०सं० 261/28/78-आई०टी०जे०)]

New Delhi, the 21st July, 1979

S.O. 2708.—In exercise of the powers conferred by sub-section (1) of Section 121A of the Income-tax Act, 1961 (43 of 1961) and in supersession of Notification No. 2527 (F. No. 261/28/78-ITJ) dt. 28th Sept., 78 and also in supersession of Notification No. 2382 (F. No. 261/8/78-ITJ) dated 7th July, 1978, the Central Board of Direct Taxes, hereby directs that the Commissioners of Income-tax (Appeals) of the Charge specified in column (1) of the Schedule below, shall perform their functions in respect of such persons assessed to income-tax or surtax or interest-tax in the Income-tax Wards, Circles, Districts and Ranges specified in the corresponding entries in columns (2) and column (3) thereof as are aggrieved by any of the orders mentioned in clauses (a) to (h) of sub-section (2) of section 246 of the Income-tax Act, 1961, in sub-section (1) of section II of

Companies (Profits) Surtax Act, 1964 (7 of 1964), and in sub-section (1) of Section 15 of the Interest Tax Act, 1974 (45 of 1974) and also in respect of such persons or classes of persons as the Board has directed or may direct in future in accordance with the provisions of clause (i) of sub-section (2) of Section 246 of the Income-tax Act, 1961.

SCHEDULE

Charges with Headquarters	Income-tax Wards & Circles	Ranges of Inspecting Assistant Commissioners of Income-tax
1	2	3
Commissioner of Income-tax (Appeals)-I, Kanpur	Central Circles I to VI, Kanpur.	All Ranges within the jurisdiction of Commissioner of Income-tax (Central), Kanpur.
Commissioner of Income-tax (Appeals)-II, Kanpur. (presently Headquarters at Agra).	1 All Wards/Circles including E. D. Circles within the jurisdiction of Commissioner of Income-tax, Kanpur.	All Ranges within the jurisdiction of Commissioner of Income-tax, Kanpur.
	2. All Wards/Circles including E.D. Circle within the jurisdiction of Commissioner of Income-tax, Agra.	All Ranges within the jurisdiction of Commissioner of Income-tax Agra.

Where the Income-tax Circle, Ward or District or part thereof stands transferred by this Notification from one Charge to another Charge, appeals arising out of the assessments made in that I.T. Circle, Ward or District or part thereof and pending immediately before the date of this Notification before the C.I.T. of the Charge from whom the Income tax Circle, Ward or District or part thereof is transferred shall from the date of this Notification takes effect be transferred to and dealt with by the CIT of the charge to whom the said circle, ward, or District or part thereof is transferred.

This Notification shall take effect from 1-8-1979.

[No. 2945 (F.No. 261/28/78-ITJ)]

फा०सं० 2709—आयकर अधिनियम, 1961 (1961 का 43) की धारा 121-क की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग और अधिसूचना सं० 2528 (फा०सं० 261/18/78-आई०टी०जे०) तारीख 26 सितम्बर, 1978 को अधिकाृत करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड निदेश देता है कि नीचे की अनुसूची के स्तम्भ (1) में विनिर्दिष्ट भार साधन करने वाले आयकर आयुक्त (अपील) उसके स्तम्भ (2) और स्तम्भ (3) की सम्बंधी प्रविष्टि में विनिर्दिष्ट आयकर सफिलों, वार्डों, जिलों और रेंजों में ऐसे सभी व्यक्तियों के बारे में जिनपर आयकर या अतिरिक्त या व्याजकर निर्धारित किया गया है और जो आयकर अधिनियम, 1961 की धारा 246 की उपधारा (1) के खण्ड (क) से (ज), कम्पनी (साध) अतिरिक्त अधिनियम, 1964 (1964 का 7)

की धारा 2 की उपधारा (1), व्याजकर अधिनियम 1974 (1974 का 45) की धारा 15 की उपधारा (1) में वर्णित किसी प्रादेश से व्यक्ति है और ऐसे व्यक्तियों या व्यक्ति वर्ग के बारे में भी, जिनके लिये बोर्ड ने आयकर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खण्ड (i) के उपबन्धों के अनुसार निदेश दिया है या भविष्य में निदेश दे, अपने कृत्यों का पालन करेंगे।

अनुसूची

भार माधन और मुक्यालय	आयकर वार्ड और मकिल	सहायक आयुक्त (निरीक्षण) का रेंज
1	2	3
आयकर आयुक्त (अपील), इलाहाबाद	आयकर आयुक्त की अधि- कारिता में के गोरखपुर रेंज में के वार्डों और मकिलों को छोड़कर सभी वार्डों/मकिल	आयकर आयुक्त की अधि- कारिता में के गोरख- पुर के रेंजों को छोड़- कर सभी रेंज
2. इलाहाबाद और वाराणसी संभाग (केन्द्रीय), स्थित सभी केन्द्रीय मकिल इलाहाबाद		

जहां कोई आयकर मकिल, वार्ड या जिला या उसका भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज को अन्तर्गत हो जाता है, वहां उस आयकर मकिल वार्ड या जिले या उसके भाग में किये गये निर्धारणों से उत्पन्न होने वाली और उस रेंज के, जिसके वह आयकर मकिल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, आयकर आयुक्त (अपील) के समक्ष इस अधिसूचना की तारीख के ठीक पूर्व लंबित प्रसीले उस तारीख से जिस तारीख को यह अधिसूचना प्रभावी होगी है, उस रेंज के, जिसको उक्त मकिल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है आयकर आयुक्त (अपील) को अन्तर्गत की जायेगी और उसके द्वारा उन पर कार्यवाही की जायेगी।

यह अधिसूचना 1-8-1979 से प्रभावी होगी।

[सं 2946(फा०सं 261/18/78-आई०टी०जे०)]

SCHEDULE

Charges with Headquarters	Income-tax Wards & Circles	Ranges of Inspect- ing Assistant Com- missioners of Income tax
1	2	3
Commissioner of Income-tax (Appeals) Allahabad.	All Wards/Circles excepting those in Gorakhpur range, within the jurisdic- tion of Com- missioner of Income-tax.	All Ranges except- ing those at Gora- khpur Range within the jurisdic- tion of Com- missioner of Income-tax, Alla- habad.
	2. All Central Circles located at Allaha- bad and Varanasi.	JAC (Central), Allahabad.

Whereas the Income-tax circle, ward or District or part thereof stands transferred by this notification from one Range to another range appeals arising out of the assessments made in that income-tax Circle, Ward or District or part thereof and pending immediately before the date of this notification before the Commissioner of Income-tax (Appeals) of the Range from whom that Income-tax Circle, Ward or District or part thereof is transferred shall from the date of this notification takes effect be transferred to and dealt with by the Commissioner of Income-tax of the Range to whom the said circle, ward, or District or part thereof is transferred.

This notification shall take effect from 1-8-1979.

[No. 2946 (F. No. 261/18/78-ITJ)]

S.O. 2709.—In exercise of the powers conferred by sub-section (1) of section 121A of the Income-tax Act, 1961 (43 of 1961) and in supersession of Notification No. 2528 (F. No. 261/18/78-ITJ) dated 26th September, 1978 the Central Board of direct Taxes hereby directs that the Commissioner of Income-tax (Appeals) of the Charge specified in column (1) of the Schedule below, shall perform his functions in respect of such persons assessed to income-tax or surtax or interest-tax in the Income-tax Wards, Circles, Districts and Ranges specified in the corresponding entries in columns (2) and column (3) thereof as are aggrieved by any of the orders mentioned in clauses (a) to (h) of sub-section (2) of section 246 of the Income-tax Act, 1961, in sub-section (1) of Section II of Companies (Profits) Surtax, Act, 1964 (7 of 1964), and in sub-section (1) of section 15 of the interest Tax Act, 1974 (45 of 1974) and also in respect of such persons or classes of persons as the Board has directed or may direct in future in accordance with the provisions of clause (i) of sub-section (2) of Section 246 of the Income-tax Act, 1961.

का०प्र० 2710.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 121-क की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग और अधिसूचना सं० 2382 (फा०सं० 261/8/78-आई०टी०जे०) तारीख 7 जुलाई, 1978 को अधिकांश करके हुए केन्द्रीय प्रत्यक्ष कर बोर्ड निदेश देता है कि नीचे की अनुसूची के स्तम्भ (1) में विनिर्दिष्ट भार माधन करने वाले आयकर आयुक्त (अपील) उसके स्तम्भ (2) और स्तम्भ (3) की तत्संबंधी प्रविष्टि में विनिर्दिष्ट आयकर, मकिलों, वार्डों, जिलों और रेंजों में ऐसे सभी व्यक्तियों के बारे में जिनपर आयकर या अतिकर या व्याजकर निर्धारित किया गया है और जो आयकर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खण्ड (क) से (अ), कम्पता (लाभ) अतिकर अधिनियम, 1964 (1964 का 7) की धारा 2 की उपधारा (1) और व्याजकर अधिनियम, 1974 (1974 का 45) की धारा 15 की उपधारा (1) में वर्णित किसी प्रादेश से व्यक्ति है और ऐसे व्यक्तियों या व्यक्ति वर्ग के बारे में भी, जिनके लिये बोर्ड ने आयकर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खण्ड (i) के उपबन्धों के अनुसार निदेश दिया है या भविष्य में निदेश दे, अपने कृत्यों का पालन करेंगे।

अनुसूची		
आयुक्त (अपील)		
भार साधन और मुख्यालय	आयकर वार्ड और सर्किल	सहायक आयकर आयुक्त (निरीक्षण) का रेंज
1	2	3
आयुक्त (अपील) लखनऊ	आयकर आयुक्त की अधि- कारिता से के संप्रदाय सर्किलों सहित सभी वार्ड/ सर्किल	आयकर आयुक्त लखनऊ की अधि- कारिता से के सभी रेंज
	2 गोरखपुर बस्तियाँ, देवरिया, मन्दास, गोरख- बहराइच, गोडा आजमगढ़ मुल्तानपुर, बलिया मउमाय मजून स्थित सभी वार्ड/सर्किल	
	4 लखनऊ बरेली और गोरखपुर स्थित सभी केंद्रीय सर्किल	मन्दास (केंद्रीय) लखनऊ

जहां कोई आयकर सर्किल वार्ड या जिला या उसका भाग इस अधिसूचना द्वारा एक भार साधन से किसी अन्य भार साधन को अन्तर्गत हो जाता है, वहां उस आयकर सर्किल वार्ड या जिला या उसके भाग से किये गये निर्धारणों से उत्पन्न होने वाली और उस भार साधन के जिससे वह आयकर सर्किल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, आयकर आयुक्त (अपील) के समक्ष इस अधिसूचना की तारीख के ठीक पूर्व लखनऊ अधीन उस तारीख से जिस तारीख को यह अधिसूचना प्रभावी होती है, उस भार साधन के, जिसको उक्त सर्किल वार्ड या जिला या उसका भाग अन्तर्गत हुआ है आयकर आयुक्त (अपील) को अन्तर्गत की जायेगी और उसके द्वारा उन पर कार्यवाही की जायेगी।

यह अधिसूचना 1-8-1979 से प्रभावी होगी।

[सं 2947/कां० 261/21/79-आई०टी०जे०]

एस०के० भटनागर अवर सचिव

S.O. 2710—In exercise of the powers conferred by sub-section (1) of section 121A of the Income-tax Act 1961 (43 of 1961) and in supersession of Notification No 2382 (F No 261/8/78-ITJ) dated 7th July, 1978 the Central Board of Direct Taxes, hereby directs that the Commissioners of Income-tax (Appeals) of the Charges specified in column (1) of the Schedule below, shall perform their functions in respect of such persons assessed to income-tax or surtax or interest-tax in the Income-tax Wards, Circles, Districts and Ranges specified in the corresponding entries in column (2) and column (3) thereof as are aggrieved by any of the orders mentioned in clauses (a) to (h) of sub-section (2) of Section 246 of the Income-tax Act, 1961 in sub-section (1) of Section II of Companies (Profits) Surtax Act, 1964 (7 of 1964), and in sub-section (1) of Section 15 of the Interest tax Act, 1974 (45 of 1974) and also in respect of such persons or classes of persons as the Board has directed or may direct in future in accordance with the provisions of clause (i) of Sub-section (2) of Section 246 of the Income-tax Act, 1961

SCHEDULE		
Commissioner (Appeals)		
Charges with Headquarters	Income-tax wards and Circles	Ranges of Inspect- ing Assistant Com- missioners of Income-tax
1	2	3
Commissioner (Appeals) Lucknow	1 All Wards/Circles including E D Circles within the jurisdiction of Commissioner of Income-tax, Lucknow	All ranges within the jurisdiction of Commissioner of Income-tax, Lucknow
	2 All Wards/Circles located at Gorakhpur, Basti, Deoria, Bahraich Gonda, Azamgarh, Sultanpur, Ballia Maunathbhanjan	I A C, Gorakhpur
	3 All Central Circles located at Lucknow, Bareilly and Gorakhpur	I A C (Central) Lucknow

Whereas the Income-tax Circle, Ward or District or part thereof stands transferred by this Notification from one Charge to another Charge, appeals arising out of the assessments made in that I T Circle, Ward or District or part thereof and pending immediately before the date of this Notification before the CIT of the Charge from whom the Income-tax Circle, Ward or District or part thereof is transferred shall from the date of this Notification takes effect be transferred to and dealt with by the CIT of the charge to whom the said Circle, Ward, or District or part thereof is transferred

This Notification shall take effect from 1-8-1979

[No 2947 (F No 261/21/78-ITJ)]

CORRIGENDUM

INCOME TAX

New Delhi, the 28th July, 1979

S.O. 2711—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961), and all other powers enabling it in that behalf and in partial modification of the previous Notification No 2885 (F No 261/5/78 ITJ) dated 18-6-1979, the Central Board of Direct Taxes, hereby directs that the following amendments may be made —

- (1) In the jurisdiction of AAC, RP, Pune, the entries No 31 TRO-I, Pune 32 TRO-II, Pune and 33-TRO-III, Pune may be deleted
- (2) In the jurisdiction of AAC, TR, Thane, the entries No 17 TRO I, Thane, 18 TRO II, Thane and 29-TRO, Solapur may be deleted
- (3) In the jurisdiction of AAC, KR, Kolhapur, the entry No 10 TRO, Kolhapur, may be deleted

[No 2952 (F No 261/5/78-ITJ)]
S K BHATNAGAR, Under Secy

भाषणजय, भाषणिक आधुनिक एवं सहकारिता मंत्रालय**संयुक्त मुख्य निर्यातक आयात निर्यात का कार्यालय**

अहमदाबाद, 15 फरवरी, 1979

विषय:—सर्वश्री राज प्लास्टिक प्रोडक्ट्स जामनगर के नाम से 1,35,783/- रुपये के लिये जारी किये गए आयात लाइसेंस सं० पी०/एम०/1861103 दिनांक 12-9-78 (सामान्य मुद्रा क्षेत्र) की मुद्रा निर्यात प्रति और सीमा शुल्क प्रयोजन प्रति को रद्द करने का आदेश।

का०आ० 2712.—सर्वश्री राज प्लास्टिक प्रोडक्ट्स जामनगर को अप्रैल-मार्च 79 में निर्यात के परिशिष्ट 5 के अनुसार अप्रैल-मार्च 1979 लाइसेंसिंग अवधि के लिये, सामान्य मुद्रा क्षेत्र से 1,35,783/- रुपये के लिये अनुमति पत्रों के आयात के लिये आयात लाइसेंस सं० पी०/एम०/1861103 दिनांक 12-9-78 प्रदान किया गया था। उन्होंने उक्त लाइसेंस की मुद्रा विनिमय नियंत्रण प्रति और सीमा-शुल्क निकासी प्रति की अनुलिपि प्रति के लिये इस आधार पर आवेदन किया है कि लाइसेंस की मूल मुद्रा विनिमय नियंत्रण प्रति और सीमा-शुल्क प्रयोजन प्रति सीमा शुल्क भवन बम्बई में पंजीकृत करावाये या उपयोग किए बिना ही अस्थानस्थ हो गई/थी गई है।

इस तर्क के समर्थन में आवेदक ने न्यायिक मजिस्ट्रेट के सामने विवरित शपथ लेते हुए स्टाम्प कागज पर शपथ-पत्र दाखिल किया है।

वे इस बात से मन्तव्य है कि आयात लाइसेंस सं० पी०/एम०/1861103 दिनांक 12-9-78 रद्द किया जा अस्थानस्थ हो गया है और निवेश देता है कि लाइसेंस की सीमा-शुल्क प्रति और मुद्रा विनिमय नियंत्रण प्रति की अनुलिपि प्रति आवेदक को जारी की जाये। मूल लाइसेंस सं० पी०/एम०/1861103 दिनांक 12-9-78 को रद्द किया जाता है।

[आदेश सं० 16/78-79/5790]

एम०डी० मराठे, संयुक्त मुख्य निर्यातक

विषय:—1,35,783 रुपये के आयात लाइसेंस सं० पी०/एम०/1861103 दिनांक 12-9-78 के स्थान पर आयात लाइसेंस सं० डी 2466187 और डी 2466188 दिनांक 15-2-79 की अनुलिपि मुद्रा विनिमय नियंत्रण प्रयोजन प्रति और सीमा शुल्क प्रयोजन दोनों प्रतियां जारी करना।

आपको यह सूचित किया जाता है कि, सर्वश्री राज प्लास्टिक प्रोडक्ट्स जामनगर को आयात लाइसेंस सं० पी०/एम०/1861103 दिनांक 12-9-78 की अनुलिपि मुद्रा-विनिमय नियंत्रण प्रयोजन और सीमा-शुल्क प्रयोजन दोनों प्रतियां जारी कर दी गई हैं। यह अनुरोध है कि, आयात लाइसेंस (जिसका ध्येय नीचे दिया गया है) की मूल मुद्रा-विनिमय नियंत्रण प्रयोजन और सीमा-शुल्क प्रयोजन प्रति प्रस्तुत करने पर वैध त समझी जाए, और यदि उपर्युक्त लाइसेंस की मूल मुद्रा विनिमय नियंत्रण प्रयोजन और सीमा शुल्क प्रयोजन प्रति पहले ही अपने पत्तन पर प्रस्तुत कर दी गई हो या उसका उपयोग कर लिया गया हो तो उसकी सूचना तत्काल ही इस कार्यालय को दे दी जाए।

लाइसेंस के व्योरे इस प्रकार है:—

लाइसेंस सं० एवं दिनांक	जारीकर्ता	मद	अवधि जिनके लिए वैध है	लाइसेंस अवधि
पी०/एम०/1861103 दिनांक 12-9-78	निर्यात, आयात-निर्यात राजकोट	अप्रैल-मार्च 79 की नीति पुस्तक के परिशिष्ट 5 के अनुसार अनुमति पत्र	12 मास	अप्रैल-मार्च 79

लाइसेंस क्षेत्र	रुपये में मूल्य	प्रयुक्त मूल्य
सामान्य मुद्रा क्षेत्र	1,35,783 रुपये	शून्य

[मिथिल सं० आ०-14/एपीपी-5/78-79/आईएम पी एल में जारी]

MINISTRY OF COMMERCE, CIVIL SUPPLIES AND COOPERATION

Office of the Jt. Chief Controller of Imports and Exports

Ahmedabad, the 15th February, 1979

Sub:—Order for cancellation of Exchange Control Purposes Copy and Customs purposes Copy of Import Licence No. P/S/1861103 dt. 12-9-78 for Rs. 1,35,783/- (G.C.A.) issued in favour of M/s. Raj Plastic Products, Jamnagar.

S.O. 2712.—M/s. Raj Plastic Products, Jamnagar was granted import Licence No. P/S/1861103 dt. 12-9-78 for Rs. 1,35,783/- for Import of permissible items as per App. 5 of A.M. 79 Policy Book for the licensing period April/March, 1979 from G.C.A. They have applied for the duplicate copy of both the Exchange Control purposes copy and Customs purposes copy of the above licence on the ground that the original Customs & Exchange Control Purposes copy of the import licence has been misplaced/lost without having been registered with the Customs House, Bombay or utilised.

In the support of this contention, the applicant has filed an affidavit on stamp paper duly sworn in before Judicial Magistrate.

I am satisfied that, the original copy of import licence No. P/S/1861103 dt. 12-9-78 has been lost or misplaced and direct that, duplicate Customs and Exchange Control Purposes copy of the licence should be issued to the applicant. The original licence No. P/S/186-1103 dt. 12-9-78 is cancelled.

[Order No. 16/78-79/5790]

S.D. MARATHE, Jt. Chief Controller

Sub:—Issue of Duplicate Copy of both Exchange Control Purposes Copy and Customs Purposes Copy of the import Licence No. D.2466187 and D.2466188 dt. 15-2-79 in lieu of P/S/1861103 dt. 12-9-78 for Rs. 1,35,783.

This is to inform you that, duplicate copy of both Exchange Control Purposes and Customs Purposes Copy of the import licence No. P/S/1861103 dt. 12-9-78 has been issued to M/s. Raj Plastic Products Jamnagar. It is requested that, the original Exchange Control Purposes and Customs Purposes copy of the import licence (Particulars given below) should not be held valid if produced and that intimation should be sent to this office immediately if the original Exchange Control purposes and customs purposes copy of the above licence has already been presented or utilised at his port.

Particulars of the licence are as under:—

Lic. No.	Issued by	Items	Validity	Licensing Pd.
P/S/1861103 dt. 12-9-78	Controller of Imports and Exports, Rajkot.	Permissible items as per App. 5 A.M. 79 Policy Book.	12 months	April/March, 1979.
Licensing Area G.D.A.		Value in Rs. Rs. 1,35,783/-	Value utilised Nil	

[Issued from File No. R-14 App-5, 78 79, IMPL]

Sd/- Controller of Imports and Exports

संयुक्त मुख्य निर्यात आयात निर्यात का कार्यालय
(केन्द्रीय लाइसेंस क्षेत्र)

आदेश

नई दिल्ली, 27 दिसम्बर, 1978

**OFFICE OF THE JOINT CHIEF CONTROLLER OF
IMPORTS & EXPORTS**
(Central Licensing Area)

ORDER

New Delhi, the 27th December, 1978

का० प्रा० 2713.—संश्लेषी भारत काटन मिल्स रामपुरफुल, जिला भटिन्डा (पंजाब) को अप्रैल-मार्च 78 की तारीख पुस्तक वा०-1 के अनुसार सूची मिल मशीन के निर्माण के लिए अपेक्षित अनुमति फालतू पुर्जों के आयात के लिए 7000 रुपये का लाइसेंस सं० पी/एम/1914954 दिनांक 29-7-77 प्रदान किया गया था। उन्होंने 1978-79 की आयात व्यापार नियंत्रण नियम तथा क्रियाविधि हैण्डबुक के पैरा 354 के अन्तर्गत अपेक्षित एक प्रपत्र-पत्र वांछित किया है, जिसमें उन्होंने बताया है कि उपर्युक्त लाइसेंस की सीमा-शुल्क प्रयोजन प्रति बिल्कुल भी उपयोग में लागू बिना खो गई है।

2. मैं संतुष्ट हूँ कि उक्त लाइसेंस की सीमा-शुल्क प्रयोजन प्रति खो गई/अस्थानस्थ हो गई है।

3. समय-समय पर यथासंशोधित, आयात व्यापार नियंत्रण आदेश 1955 विभाग 7-12-55 की उपधारा 9 (सी सी) के अन्तर्गत प्रवृत्त अधिकारों का प्रयोग करते हुए, मैं उक्त आयात लाइसेंस को उक्त मूल सीमा-शुल्क प्रयोजन प्रति को रद्द करने का आदेश देता हूँ।

4. अब आवेदक का 1978-79 की आयात व्यापार नियंत्रण नियम तथा क्रियाविधि हैण्डबुक के पैरा 353 में की गई व्यवस्थाओं के अनुसार उक्त लाइसेंस की अनुलिपि सीमा-शुल्क प्रयोजन प्रति जारी की जा रही है।

[सं० स्पेयर-13/एम०-78/ए०यू०-2/सी०एल०ए०/2935]

के० रमन, उप-मुख्य नियंत्रक,
नूतने संयुक्त मुख्य नियंत्रक

S.O. 2713.—M/s. Bharat Cotton Mills, Rampurphul, Distt. Bhatinda (Pb.) were granted licence No. P/S/1914954 dated 29-7-77 for Rs. 7000 for import of permissible spare parts required for the manufacture of cotton mill machinery as per policy Book Vol. I for AM-78 period. They have filed an affidavit as required under para 354 of import Trade Control Hand Book of Rules and Procedure 1978-79 wherein they have stated that custom purpose copy of the above said has been lost/misplaced without having been utilised.

2. I am satisfied that the Custom Purposes Copy of the said licence has been lost/misplaced.

3. In exercise of the powers conferred on me under sub clause 9(cc) in the Import Trade Control Order 1955 dated 7-12-1955 as amended from time to time, I order the cancellation of the said original Custom Purpose Copy of the said import licence.

4. The applicant is now being issued duplicate Custom Purpose Copy of the said licence in accordance with the provisions of para 353 of Import Trade Control Hand Book of Rules & Procedure 1978-79.

[No. Spare-13/AM-78/AU-II/CLA/2935]

K. RAMAN, Dy. Chief Controller
for Jt. Chief Controller

(सार्वजनिक पूर्ति एवं सहकारिता विभाग)

भारतीय मानक संस्था

नई दिल्ली, 1979-07-20

का० प्रा० 2714.—समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन बिल्लू) विनियम, 1955 के विनियम 5 के उपविनियम 1 के अनुसार अधिसूचित किया जाता है कि जिस भारतीय मानक के व्योरे नीचे अनुसूची में दिए गए हैं वह रद्द कर दिया गया है और इसी समय से वापस माना जाए।

अनुसूची

क्रम	रद्द कर दिए गए भारतीय मानक की संख्या	संख्या और शीर्षक	राजपत्र अधिसूचना की एम ओ संख्या और तिथि जिसमें भारतीय मानक के निधारेण की सूचना छपी थी	विवरण
(1)	(2)	(3)	(4)	
1	IS: 1310-1971	पायसनीय एम्ब्रित मानक की विशेषता	भारत के राजपत्र भाग II, खण्ड 3, उपखण्ड (ii), दिनांक 1976-10-02 में एम ओ 3494 दिनांक 1976-09-14 के अधीन प्रकाशित।	देश में कीटनाशी अधिनियम 1968 के अन्तर्गत इस वस्तु के निर्माण, बिक्री और भंडारण का निषेध कर दिया गया है।

[संख्या सी एम डी/13 7]

(Department of Civil Supplies and Co-operation)

INDIAN STANDARDS INSTITUTION

New Delhi, the 1979-07-20

S.O. 2714. In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulations, 1955 as amended from time to time, it is hereby notified that the Indian Standard, particulars of which is mentioned in the Schedule given hereafter, has been cancelled and stands withdrawn with immediate effect —

SCHEDULE

Sl. No. & Title of the Indian Standard Cancelled	S.O. No. & Date of the Gazette Notification in which Establishment of the Indian Standard was Notified	Remarks
(1)	(2)	(3)
1. IS : 1310-1974 Specification for endrin emulsifiable concentrate.	S.O. 3494 dated 1976-09-14 published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated 1976-10-02.	As the manufacturing, sale and storage of the product has been banned in the country under the Insecticide Act 1968 and the Rules framed thereunder.

[No. CMD/13 : 7]

क्रा० प्रा० 2715.—समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिह्न) विनियम, 1955 के विनियम 5 के उपविनियम (1) के अनुसार अधिसूचित किया जाता है कि जिस भारतीय मानक के व्योरे नीचे अनुसूची में दिए गए हैं, वह रद्द कर दिया गया है और अब वापस माना जाए।

अनुसूची

क्रम रद्द किए गए भारतीय मानक की संख्या	जिस राजपत्र अधिसूचना में भारतीय मानक की स्थापना की अधिसूचना छपी थी उसकी एस ओ संख्या और दिनांक	विवरण
(1)	(2)	(3)
1. IS : 5018-1968 टाइप के अनुसार कठोर कोयले का वर्गीकरण	भारत के राजपत्र भाग II, खंड 3, उपखण्ड (ii) दिनांक 1969-06-14 में एस ओ 2330, दिनांक 1969-06-2 के अधीन प्रकाशित।	IS : 770-1978 भारतीय कोयलो और भूरे कोयलो के वर्गीकरण और संश्लिष्टकरण के प्रकाशन के फलस्वरूप।

[संख्या सी एम डी/13 : 7]

S.O. 2715.—In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulations 1955 as amended from time to time, it is hereby notified that the Indian Standard, particulars of which is mentioned in the Schedule given hereafter, has been cancelled and stand withdrawn.

SCHEDULE

Sl. No. and Title of the Indian Standard Cancelled	S.O. No. & Date of the Gazette Notification in which Establishment of the Indian standard was notified	Remarks
(1)	(2)	(3)
1. IS : 5018-1968 Classification of hard coals by type.	S.O. 2330 dated 1969-06-02 published in the Gazette of India, Part-II, Section 3, Sub-section (ii) dated 1969-06-14.	Consequent upon the publication of IS : 770-1978 Classification and codification of Indian coals and lignites.

[No. CMD/13 : 7]

क्रा० प्रा० 2716.—समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिह्न) विनियम, 1955 के विनियम 5 के उपविनियम (1) के अनुसार अधिसूचित किया जाता है कि जिस भारतीय मानक के व्योरे नीचे अनुसूची में दिए गए हैं वह रद्द कर दिया गया है और अब वापस माना जाए।

अनुसूची

क्रम रद्द किए गए भारतीय मानक की संख्या और शीर्षक	राजपत्र अधिसूचना की एस ओ संख्या और तिथि जिसमें भारतीय मानक के निर्धारण की सूचना छपी थी	विवरण
(1)	(2)	(3)
1. IS : 3619-1966 सूती हीलबों के लिए लकड़ी के स्टेक की विशिष्टि।	भारत के राजपत्र भाग II, खंड 3, उपखण्ड (ii) दिनांक 1966-12-17 में एस ओ 3818 दिनांक 1966-11-30 के अधीन प्रकाशित।	इस मानक में दी गई अपेक्षाएं अब IS : 1739-1978 सूती कपड़ों से प्रयुक्त सूती हीलबों की विशिष्टि (दूसरा पुनरीक्षण) में शामिल कर ली गई है।

[संख्या सी एम डी/13 : 7]

S.O. 2716.—In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulations 1955 as amended from time to time, it is, hereby notified that the Indian Standard, particulars of which is mentioned in the Schedule given hereafter, has been cancelled and stands withdrawn :

SCHEDULE

Sl. No. & Title of the Indian Standard Cancelled	S. No. & Date of the Gazette Notification in which Establishment of the Indian Standard was Notified	Remarks
(1)	(2)	(3)
1. IS : 3619-1966 Specification for wooden staves for cotton healds.	S.O. 3818 dated 1966-11-30 published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated 1966-12-17.	As the requirements given in this standard have been incorporated in IS : 1739-1978 Specification for cotton healds for use in cotton looms (second revision).

[No. CMD/13 : 7]

क्र।० अ।० 2717—समय-वमय पर संशोधित भारतीय मानक संस्था (प्रमाणन बिहू) विनियम 1955 के विनियम 5 के उपविनियम (1) के अनुसार अधिसूचित किया जाता है कि जिस भारतीय मानक के व्योरे नीचे अनुसूची में दिए गए हैं वह रद्द कर दिया गया है और अब वापस माना जाए।

अनुसूची

क्रम संख्या	रद्द किए गए भारतीय मानक की पद संख्या तथा शीर्षक	जिस राजपत्र अधिसूचना में भारतीय मानक की स्थापना की अधिसूचना छपी थी उसकी एस ओ संख्या और दिनांक	विवरण
(1)	(2)	(3)	(4)
1.	IS : 2045-1962 कांच गलाने की टंकी भट्टियों के लिए प्राकृतिक सिलिमेनाइट खण्डों की विनिर्दिष्ट।	भारत के राजपत्र भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1962-07-14 में एस ओ 2144 दिनांक 1962-07-03 के अधीन प्रकाशित।	अब कांच गलाने की टंकी भट्टियों में प्रयोग होने वाली बद्ध सिलिमेनाइट, जिर्कॉन और गलित छले ऊष्मानुहों के तैयार हो जाने और उत्पादन के कारण इस भारतीय मानक के अनुपयोगी हो जाने के फलस्वरूप।

[संख्या सी एम बी/13 : 7]

S.O. 2717.—In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulations, 1955 as amended from time to time, it is hereby notified that the Indian Standard, particulars of which is mentioned in the Schedule given hereafter, has been cancelled and stands withdrawn :

SCHEDULE

Sl. No. & Title of the Indian Standard Cancelled.	S.O. No. & Date of the Gazette Notification in which Establishment of the Indian Standard was notified.	Remarks
(1)	(2)	(3)
1. IS : 2045-1962 Specification for natural sillimanite blocks for glass melting tank furnaces.	S.O. 2144 dated 1962-07-03 published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated 1962-07-14.	As this Indian Standard has become obsolete in view of the development and manufacture of bonded sillimanite, zircon and fused cast refractories which are now used in glass melting tank furnaces.

[NO. CMD/13 : 7]

क्रा० धा० 2718.—समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिह्न) विनियम 1955 के विनियम 4 के उपविनियम (2) के अनुसार भारतीय मानक संस्था द्वारा अधिनियमित किया जाता है कि JS : 1310-1974 एन्ड्रिन पायसनीय तेज द्रव की विशिष्ट मसमकी एन्ड्रिन पायसनीय तेज द्रव के मानक चिह्न की डिजाइन जिसके अन्तर्गत भारतीय राजपत्र भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1961-05-06 से एम प्रो 1010 दिनांक 1961-04-27 के अधीन प्रकाशित हुए थे, वह भंग रह कर दी गई है।

[संख्या सी एम बी/13 : 9]

ए० पी० बनर्जी, उप-सहाय निदेशक

S.O. 2718.—In pursuance of sub-rule (2) of Rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 as amended from time to time, it is, hereby, notified that the design of the Standard Mark for endrin emulsifiable concentrate, relating to JS : 1310-1974 Specification for endrin emulsifiable concentrate, details of which were published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated 1961-05-06 under number S.O. 1010 dated 1961-04-27, has been rescinded with immediate effect.

[No. CMD/13 : 9]

A P BANERJI, Dy Director General

(आणविक विभाग)

नई दिल्ली, 11 अगस्त, 1979

क्रा० धा० 2719.—केन्द्रीय सरकार नियति (कवालिटी नियंत्रण तथा निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए तथा जीरे का नियति (निरीक्षण) नियम, 1973 का अधिकरण करते हुए, निम्नलिखित नियम बनाती है, अधीन—

1. संक्षिप्त नाम तथा प्रारम्भ—(1) इन नियमों का संक्षिप्त नाम जीरे का नियति (कवालिटी नियंत्रण तथा निरीक्षण) नियम, 1979 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. परिभाषा—इन नियमों में, जब तक कि संदर्भ में अन्यथा अपेक्षित न हों—

(1) "अधिनियम" से नियति (कवालिटी नियंत्रण तथा निरीक्षण) अधिनियम, 1963 (1963 का 22) अभिप्रेत है,

(2) "कृषि विपणन सलाहकार" से भारत सरकार का कृषि विपणन सलाहकार अभिप्रेत है;

(3) "प्राधिकृत पैकर" से वह व्यक्ति या व्यक्तियों का निकाय अभिप्रेत है जिसे प्राधिकरण का प्रमाण-पत्र अनुदान किया गया है।

(4) "प्राधिकरण का प्रमाण पत्र" से अधिनियम की धारा 6 के अन्तर्गत मान्यता प्राप्त मानक विनिर्देशों के अनुसार जीरे का श्रेणीकरण करने के इच्छुक व्यक्ति या व्यक्तियों के निकाय को कृषि विपणन सलाहकार द्वारा जारी किया गया प्रमाणपत्र अभिप्रेत है।

(5) "जीरा" से भारत में उत्पन्न साबुत या पिसे हुए क्यूमीनम साबुतम एल से प्राप्त बीज अभिप्रेत है।

(6) "निरीक्षण अधिकारी" से अधिनियम की धारा 7 के अधीन अन्तर्गत स्थापित या मान्यता प्राप्त अधिकरण अभिप्रेत है।

3. निरीक्षण का आधार—जीरे का निरीक्षण यह देखने के विचार से किया जाएगा कि वे अधिनियम की धारा 6 के अन्तर्गत केन्द्रीय सरकार द्वारा मान्यताप्राप्त मानक विनिर्देशों के अनुरूप हैं।

4. निरीक्षण की प्रक्रिया—(1) नियति के लिए आशयित जीरा कृषि विपणन सलाहकार द्वारा इस संबंध में जारी किये गए अनुदेशों के अनुसार केवल प्राधिकृत पैकर द्वारा पैक तथा श्रेणीकृत किया जाएगा।

(2) जीरे का नियति करने का इच्छुक प्राधिकृत पैकर उसकी लिखित सूचना ऐसे व्यक्तियों के साथ, जो कृषि विपणन सलाहकार द्वारा विनिर्दिष्ट किया जाए निकटतम निरीक्षण अधिकारी को देगा जिससे वह नियम 3 के अनुसार जीरे के ढाटों का श्रेणीकरण और चिह्निकरण करने में समर्थ हो सके।

(3) उप-नियम (2) के अधीन प्रत्येक संसूचना—

(क) निरीक्षण अधिकारियों के मुख्यालय पर स्थित पैकिंग केन्द्रों पर श्रेणीकरण और चिह्निकरण किए जाने से कम से कम दो दिन पूर्व दी जाएगी।

(ख) अन्य स्थानों पर, जो निरीक्षण अधिकारियों के मुख्यालय पर स्थित नहीं हैं श्रेणीकरण और चिह्निकरण किए जाने से कम से कम दस दिन पूर्व दी जाएगी।

(4) उप-नियम (3) में निर्दिष्ट संसूचना की प्राप्ति पर, निरीक्षण

अधिकारी कृषि विपणन सलाहकार द्वारा जारी किये गए अनुदेशों के अनुसार जीरे के परेषणों का निरीक्षण यह जांच करने के विचार से करेगा कि ये नियम 3 में निर्दिष्ट मान्यता प्राप्त विनिर्देशों की अपेक्षाओं को पूरा करते हैं।

(5) निरीक्षण अधिकारी यदि यह समाधान हो जाता है कि परेषण नियम 3 में निर्दिष्ट विनिर्देशों के अनुसार है। तो वह कृषि विपणन सलाहकार द्वारा जारी किये गए अनुदेशों के अनुसार जीरे के डिब्बों पर चिपकाने के लिए एमार्क लेबलों को जारी करेगा।

परन्तु यदि निरीक्षण अधिकारी का ऐसा समाधान नहीं होता है, तो वह उक्त एमार्क लेबलों को जारी करने से इंकार करेगा तथा उस तथ्य की उसके कारणों सहित लिखित सूचना तुरन्त प्राधिकृत पैकर को देगा।

(6) श्रेणीकृत तथा लेबल लगे हुए जीरे के परेषण का नियति करने का इच्छुक प्राधिकृत पैकर उसके नियति योग्य होने के प्रमाण स्वरूप श्रेणीकरण के प्रमाण पत्र के लिए निरीक्षण अधिकारी के निकटतम कार्यालय को एक आवेदन ऐसे व्यक्तियों के साथ जो कृषि विपणन सलाहकार द्वारा नियम 3 के अनुसार विनिर्दिष्ट किए जाए लिखित रूप में करेगा ताकि वह ऐसा प्रमाण-पत्र जारी करने में समर्थ हो सके।

(7) उप-नियम (6) के अन्तर्गत प्रत्येक संसूचना—

(क) निरीक्षण अधिकारियों के मुख्यालय पर स्थित पैकिंग केन्द्रों पर उप-नियम (6) में निर्दिष्ट प्रमाण-पत्र जारी किए जाने से कम से कम दो दिन पूर्व दी जाएगी।

(ख) अन्य स्थानों पर जो, निरीक्षण अधिकारियों के मुख्यालय पर स्थित नहीं हैं, उप-नियम (6) में निर्दिष्ट प्रमाण-पत्र जारी किए जाने से कम से कम तीन दिन पूर्व देगा।

(8) यदि, उप-नियम (6) में निर्दिष्ट परेषणों के नमूनों को लेने के पश्चात् तथा जांच नमूनों के परीक्षण के पश्चात् निरीक्षण अधिकारी का समाधान हो जाता है कि समविष्ट श्रेणी मान्यता-प्राप्त विनिर्देशों के अनुरूप है तो वह ऐसे परेषणों के संबंध में उनके नियति योग्य होने के कारण स्वरूप श्रेणीकरण का प्रमाण-पत्र जारी करेगा।

परन्तु यदि निरीक्षण अधिकारी का ऐसा समाधान नहीं होता है तो वह प्राधिकृत पैकर को उस तथ्य की सूचना उनके कार्यों सहित दुरन्त वेग और उक्त प्रमाण-पत्र जारी नहीं करेगा।

5. निरीक्षण का स्थान.—इन नियमों के प्रयोजन के लिए प्रारम्भिक निरीक्षण प्राधिकरण के प्रमाण-पत्र से उल्लिखित प्राधिकृत परिसरों पर किया जाएगा तथा जांच निरीक्षण या जांच नमूना लेना नियम से पूर्व किसी भी केन्द्र पर किया जा सकता है।

6. एगमार्क लेबलों के प्रभारों का संवायः—प्राधिकृत पैकर ऐसे एगमार्क प्रभारों का संवाय करेगा जो कृषि विपणन सलाहकार द्वारा विनिर्दिष्ट रूप से भारत सरकार द्वारा समय-समय पर अधिसूचित किए जाएं।

7. परीक्षण या जांच नमूने का पुनः परीक्षणः—(1) यदि पैकर निरीक्षण अधिकारी के परिणामों से संतुष्ट नहीं है तो वह संबंधित निरीक्षण अधिकारी से परेक्षण का पुनः परीक्षण करने का प्रबंध करने के लिए लिखित रूप से अनुरोध करने का हकदार होगा तथा उसके पश्चात् एक और परीक्षण नमूना या जांच नमूना लिया जाएगा और उसका परीक्षण किया जाएगा।

(2) उप-नियम (1) के अन्तर्गत विश्लेषण के परिणाम का पहले नमूने के परिणाम से भौसत निकाला जाएगा तथा भौसतन परिणाम श्रेणी अभिवधान अवधारित करने में लिया जाएगा।

8. अपीलः—“यदि कोई प्राधिकृत पैकर परेक्षण का श्रेणीकरण या नियम 4 के उप-नियम (5) या उप-नियम (8) के अन्तर्गत प्रमाण-पत्र जारी करने से निरीक्षण अधिकारी के इंकार करने से व्यथित है तो वह प्राणामी कार्य विवस के साथ 5 बजे तक निरीक्षण अधिकारी से मामले को कृषि विपणन सलाहकार को निवेष्ट करने के लिए अनुरोध करेगा जो विवाद पर उसके द्वारा निर्धारित प्रक्रिया के अनुसार उसको सलाह देने के लिए एक सलाहकार पैनल का गठन करेगा। कृषि विपणन सलाहकार अपना विनिश्चय देगा।”

[सं० 6(22)/74-नि०नि० तथा नि०उ०]

(Department of Commerce)

New Delhi, the 11th August, 1979

S.O. 2719.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), and in supersession of the Export of Cumin Seeds (Inspection) Rules, 1973 the Central Government hereby makes the following rules, namely :—

1. Short title and commencement :—(1) These rules may be called the Export of Cumin Seeds (Quality Control and Inspection) Rules, 1979.

(2) They shall come into force on the date of their publication in the official Gazette.

2. Definitions :—In these rules, unless the context otherwise requires,—

(1) “Act” means the Export ‘Quality Control and Inspection’ Act, 1963 (22 of 1963);

(2) “Agricultural Marketing Adviser” means the Agricultural Marketing Adviser to the Government of India,

(3) “authorised packer” means the person or body of persons who has been granted a certificate of authorisation ;

(4) “certificate of authorisation” means the certificate issued by the Agricultural Marketing Adviser to a person or body of persons, desirous of grading cumin seeds, as per standard specifications recognised under section 6 of the Act;

(5) “cumin seeds” mean the seeds obtained from *cuminum cyminum* L whole or powdered, produced in India;

(6) “Inspecting Officer” means the agency established or recognised under section 7 of the Act.

3. Basis of inspection :—Inspection of cumin seeds shall be carried out with a view to see that the same conforms to the standard specifications recognised by the Central Government under section 6 of the Act.

4. Procedure of inspection : (1) Cumin seeds meant for export shall be graded and packed only by the authorised packer in accordance with the instructions issued in this behalf by the Agricultural Marketing Adviser.

(2) An authorised packer intending to export cumin seeds shall give intimation in writing along with such details as may be specified by the Agricultural Marketing Adviser to the nearest inspection officer to enable him to grade and mark cumin seeds lots in accordance with rule 3.

(3) Every intimation under sub-rule (2) shall be given (a) not less than two days before the grading and marketing is to be carried out at the packing centres situated at the Head Quarters of the inspecting officers ;

(b) not less than ten days before the grading and marking is to be carried out at other places which are not situated at the Head-quarters of the Inspecting Officers.

(4) On receipt of the intimation referred to in sub-rule (3), the Inspection Officer shall inspect the consignments of cumin seeds as per the instructions issued by the Agricultural Marketing Adviser with a view to check up that the same comply with the requirements of the recognised specifications referred to in rule 3.

(5) The Inspecting Officer shall issue agmark labels for affixing the same on the containers of cumin seeds as per instructions issued by the Agricultural Marketing Adviser, in case he is satisfied that the consignment is as per specifications referred to in rule 3.

Provided that if the Inspecting Officer is not so satisfied, he shall refuse to issue the said agmark labels and convey the fact immediately in writing to the authorised packer along with the reason therefor.

(6) An authorised packer intending to export the graded and labelled consignment of cumin seeds shall apply to the nearest office of the Inspection Officer for a certificate of grading in token of its export-worthiness in writing along with such details as specified by the Agricultural Marketing Adviser in accordance with rule 3 to enable him to issue such certificate.

(7) Every intimation under sub-rule (6) shall be given : (a) not less than two days before the certificate referred to in sub-rule (6) is to be issued at the packing centres situated at the Head quarters of the Inspecting Officer ;

(b) not less than three days before the certificate referred to in sub-rule (6) is to be issued at other places which are not situated at the Head Quarters of the Inspecting Officers.

(8) If, after check sampling of the consignments referred to in sub-rule (6) and after examination of the check samples, the Inspecting Officer is satisfied that the grade assigned is as per recognised specifications, he shall issue a certificate of grading in respect of such consignments in token of their export-worthiness.

Provided that the Inspecting Officer is not so satisfied, he shall immediately intimate the fact in writing to the authorised packer along with the reasons and shall not issue the said certificate.

5. Place of inspection :—Initial inspection for the purpose of these rules shall be carried out at the authorised premises mentioned in the certificate of authorisation and check inspection or check sampling can be done at any point before export.

6. Payment of charges for agmark labels :—The authorised packer shall pay the agmark label charges which are notified by the Government of India from time to time in the manner specified by the Agricultural Marketing Adviser.

7. Re-examination of the test or check sample.—(1) If the packer is not satisfied with the result of the Inspecting Officer, he shall be entitled to request the concerned Inspecting Officer in writing to arrange for re-examination of the consignment and one more test sample or a check sample, shall, thereafter, be drawn and tested.

(2) The results of analysis under sub-rule (1) shall be averaged with those of the previous sample and average result shall be taken for determining the grade designation.

8. Appeals :—“If any authorised packer is aggrieved by the refusal of the Inspecting Officer to grade a consignment or to issue a certificate under sub-rule (5) or sub-rule (8) of rule 4, he may request the Inspecting Officer in writing latest by 5 p.m. on the following working day to refer the matter to the Agricultural Marketing Adviser who may constitute an advisory panel to advise him on the dispute in accordance with the procedure laid down by him. Agricultural Marketing Adviser shall give his decision.”

[No. 6(22)/74-EI&EP]

का० प्रा० 2720.—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, मछली तथा मछली से बनी हुई वस्तुओं के निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम 1977 में संशोधन के लिए निम्नलिखित नियम बनाती है, अर्थात् :—

1. (1) इन नियमों का संक्षिप्त नाम मछली तथा मछली से बनी वस्तुओं के निर्यात (क्वालिटी नियंत्रण और निरीक्षण) संशोधन नियम, 1979 है।

(2) ये उनके राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. मछली तथा मछली से बनी वस्तुओं के निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम 1977 में नियम 3 में—

(i) उपखंड क (1) (क) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“क (1) (क) प्रसंस्करण यूनिट के चारों ओर जो, प्रसंस्करण-कर्ता के वस्तुगत नियंत्रण के अधीन हो निकट में बलबल, नमी या पशुगृह नहीं होगा जो स्वच्छता की कोई समस्या उत्पन्न कर कर सकते हैं।

(ii) उपखंड क (1) (ख) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“क (1) (ख) प्रसंस्करणकर्ता के वस्तुगत नियंत्रण के अधीन प्रसंस्करण क्षेत्र के ठीक पास के सभी भागों पर हवा से उड़कर आने वाली धूल को रोकने के लिए, कंकरीट या तारकील बिछाया जाएगा या घास उगाई जाएगी।”

(iii) उपखंड क (3) (क) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“क (3) (क) फर्श तथा दीवार के संश्लिष्ट, को गोल बनाया जा सकता है जिससे सफाई में सुविधा हो।”

(iv) उपखंड क (5) (ख) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“क (5) (ख) प्रसंस्करण ट्रेबल या उत्पाद को तैयार करने के किसी मंच पर के ऊपर प्रकाश बल्ब तथा फिक्चर सीधे लक्षित नहीं किए जाएंगे। ये सुरक्षा प्रकार के होंगे जिससे टूटने पर संवृण को रोक सकें।

(v) उपखंड क (6) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“क (6) (क) प्रसंस्करण के लिए प्रयोग किए गए सभी पात्र जैसे ट्रे, टैंक, बैट तथा बर्तन, लकड़ी से भिन्न असंस्कारक पदार्थ के होंगे। ये समतल सतह वाले होंगे जिन पर धरारे न हों। तार की जाली वाले पात्र प्रयोग में लाए जा सकते हैं बशर्ते कि उसको जंग न लगा हो।”

(vi) उपखंड क (6) (ख) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“क (6) (ख) तार की जाली वाले पात्र केवल कैस्टेनिया पर के खोल की उठाने धरने के प्रयोग में लाए जा सकते हैं। बशर्ते कि उनको जंग न लगा हो।”

(vii) उपखंड क (6) (ज) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“क (6) (ज) बांस की टोकरियों का जब प्रयोग किया जाए तो उन्हें प्रसंस्करण हाल के प्रतिरिक्त अन्य क्षेत्रों में अनुमति दी जाएगी।”

(viii) उपखंड क (7) (क) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“क (7) (क) कार्य अधिक होने के मौसम में उत्पादन को पूरा करने के लिए प्रशीतन क्षमता पर्याप्त मात्रा में होनी चाहिए। तथापि अन्य अनुमोदित प्रसंस्करण यूनिटों के प्रतिरिक्त क्षमता का उपयोग किया जा सकता है। बशर्ते कि ऐसे प्रशीतन के लिए प्रसंस्करण-कर्ता उत्तरदायी होगा।”

(ix) उपखंड क (7) (ख) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“क (7) (ख) जिस प्रकार का प्रशीतन काम में लाया जाएगा वह उत्पाद की प्रकृति तथा पैक के प्रकार के लिए विशेष किस्म का होगा। इस प्रयोजन के लिए या तो प्लेट प्रशीतक या प्रस्फोट प्रशीतक उत्पाद की अपेक्षाओं के आधार पर प्रयुक्त किए जा सकते हैं।”

(x) उपखंड क (7) (घ) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“क (7) (घ) क्लाक प्रशीतन की दशा में सामग्री का तापमान 3 1/2 घंटों की अवधि में —40° से० से० के लगभग पहुँचेगा।”

(ix) उपखंड क (8) (घ) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“क (7) (घ) पकाने की सभी प्रक्रियाएँ भाप द्वारा की जाएगी।”

(xii) उपखंड (8) (ख) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“क (8) (ख) प्रत्येक प्रशीतन यूनिट के साथ पर्याप्त क्षमता वाले शीतागार होने चाहिए तथापि निम्नलिखित शर्तों के अधीन रहते हुए सामान्य सुविधा वाले शीतागारों का उपयोग किया जा सकता है :—

(i) तापमान की उचित व्यवस्था,

(ii) उष्मारोधी ढ़कों द्वारा यातायात, और

(iii) अधिष्णैय रीति से गन्ता बक्सों का ढेर लगाना।”

(xiii) उपखंड क (8) (ग) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“क (8) (ग) शीतागार का उचित तापमान, 18° से० से० या उससे कम होगा, अधिमानतः उसमें स्ववासित तापमान अधिलेखन यंत्र लगा होगा। तथापि जांच के किसी भी समय उत्पाद का तापमान 16 से० से० होगा।”

(xiv) उप-खंड क (8) (छ) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“क(8) (छ) उचित आकार के पूर्व कक्ष का भी अनिवार्य प्रबन्ध किया जाएगा, परन्तु जहाँ पर स्वचालित स्विक यंत्र के साथ हवादार पर्दों की सुविधा हो वहाँ पर पूर्व कक्ष की व्यवस्था की आवश्यकता नहीं होगी।”

(xv) उप-खंड क(8) (इ) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“उप-खंड क(8) (इ) जिन यूनिटों में, पर्याप्त प्रसंस्करण सुविधाओं के अभाव में कच्ची सामग्री रात भर भंडारकृत की जाती है, वहाँ उचित आकार के दूत गीत कक्ष की, जिसका तापमान 1° से 0 से 0 या उससे कम हो, व्यवस्था की जाएगी। तथापि जिन यूनिटों में गीतकक्ष की सुविधा उपलब्ध न हो वहाँ सामग्री को रात भर पर्याप्त बर्फ में रखा जाएगा।”

(xvi) उपखंड क 8 (इ) का खोप किया जाएगा :

(xvii) उपखंड क(8) (ण) को क(8) के रूप में पुनः संख्याकित किया जाएगा।

(xviii) उपखंड क(8) (त) को क(8) (ण) में के रूप में पुनः संख्याकित किया जाएगा।

(xix) उपखंड क(8) (घ) को क(8) (त) के रूप में पुनः संख्याकित किया जाएगा।

(xx) उपखंड क(10) (iii) (ख) के स्थान पर निम्नलिखित रखा जाएगा अर्थात् :—

“क (10) (iii) (ख) प्रसंस्करण यूनिट के अंदर जल निकास व्यवस्था उचित प्रकार की होगी और आसानी से साफ करने योग्य होगी।

(xxi) उपखंड क(ii) (क) के स्थान पर निम्नलिखित रखा जाएगा :—

“क(ii) (क) संयंत्र के प्रबंधक यह सुनिश्चित करने का ध्यान रखेंगे कि किसी भी ऐसे व्यक्ति को, जिसके बारे में ज्ञात हो कि वह संक्रामक रोग से पीड़ित है, उस क्षेत्र में कार्य करने की अनुमति नहीं दी जाएगी जहाँ उत्पाद को रखना उठाना पड़ता है।

(xxii) उपखंड ग (1) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“ग (1) प्रसंस्करण कर्मा केवल समक्ष कामियों के कार्यक्षेत्र में केवल अनुमोदित यूनिटों में प्रसंस्करण करेगा।”

(xxiii) उपखंड ग (3) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“ग(3) सामग्री का वजन तथा तत्पश्चात् उसका प्रसंस्करण पैकिंग तथा निर्यात तक उसका भंडारण समय-समय पर अधिकरण अधिकारियों द्वारा दिये गए निर्देशों के अनुसार समक्ष कामियों के पर्यवेक्षण के अन्तर्गत किया जाएगा।

(xxiv) उपखंड घ (1) (ब) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“घ(1) (ब) एक नियंत्रण यूनिट की उत्पाद के बगों

के आधार पर बहुत सी उप यूनिटें हो सकती हैं। पाद टिप्पणी कां० आ० सं० 4008 तारीख 31-12-1977 में संशोधन किया जाता है।

[सं० 6 (21)/76 नि० नि० तथा नि० उ०]

के० वी० बालसुब्रमणियम, उप सचिव

S.O. 2720.—In exercise of powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules to amend the Export of Fish and Fishery Products (Quality Control and Inspection) Rules, 1977, namely :—

1. (1) These rules may be called the Export of Fish and Fishery Products (Quality Control and Inspection) Amendment Rules, 1979.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Export of Fish and Fishery Products (Quality Control and Inspection) Rules, 1977, in rule 3.

(i) for sub-section A(1)(a) the following shall be substituted, namely :—

“A(1)(a). The surroundings of the processing unit which are under the physical control of the processor shall not have any swamps, damp or animal housing nearby which might pose any sanitary problems.”

(ii) for sub-section A(1)(b) the following shall be substituted, namely :—

“A(1)(b). All the immediate approaches of the processing areas which are under the physical control of the processor shall be concerned or tarred or turfed to prevent wind blown dust;”

(iii) for sub-section A(3)(c) the following shall be substituted, namely :—

“A(3)(c). The floor and wall junctions may be rounded off to facilitate easy cleaning.”

(iv) for sub-section A(5)(b), the following shall be substituted, namely :—

“A(5)(b). Light bulbs and fixtures shall not be directly suspended over the processing table or at any stage of the preparation of the product. These shall be of safety type of prevent contamination in the event of breakage;”

(v) for sub-section A(6)(e), the following shall be substituted, namely :—

“A(6)(e). All receptacles like trays, tanks, vats and utensils used for the processing shall be of non-corrosible material other than wood. These shall have smooth surfaces free from crevices. Use of wire-mesh receptacles may be permitted provided these are not rusted;”

(vi) for sub-section A(6)(g), the following shall be substituted, namely :—

“A(6)(g). Wire-mesh receptacles may be used only for handling the shell on crustaceae provided these are not rusted.”

(vii) for sub-section A(6)(h), the following shall be substituted, namely :—

“A(6)(h). Bamboo baskets when used may be permitted in areas other than the processing hall;”

(viii) for sub-section A(7)(a), the following shall be substituted, namely :—

“A(7)(a) The freezing capacity shall be adequate to meet the production in peak season. However, spare capacity of other approved processing units may be utilised provided the onus of responsibility for such freezing will be that of the processor;”

(ix) for sub-section A(7)(b), the following shall be substituted, namely :—

“A(7)(b). The type of freezing employed shall be specific to the nature of the product and type of pack. For this purpose, either the plate freezer or the blast freezer may be used depending upon the requirements of the product;”

- (x) for sub-section A(7)(d), the following shall be substituted, namely :—
- "A(7)(d). In the case of block freezing, the material shall attain a temperature around 40°C within the period of 34 hours";
- (xi) for sub-section A(7)(f), the following shall be substituted, namely :—
- "A(7)(f) All cooking operations shall be carried out by steam";
- (xii) for sub-section A(8)(b) the following shall be substituted, namely :—
- "A(8)(b). Every freezing unit shall have cold storage of adequate capacity. However, common facility cold storage may be utilised subject to the following conditions :—
- (i) the maintenance of proper temperature ;
 - (ii) transportation by insulated trucks ; and
 - (iii) stacking of cartons in an identifiable manner";
- (xiii) for sub-section A(8)(c), the following shall be substituted namely :—
- "A(8)(c). The ideal temperature of the cold storage shall be 18°C or less, preferably fitted with automatic temperature recording device. The product temperature shall however, be 16°C at any time of checking";
- (xiv) for sub-section A(8)(g), the following shall be substituted namely :—
- "A(8)(g). An ante-room of suitable size shall invariably be provided. However, where air curtain with automatic switch-on device is provided, the provision of ante-room shall not be required";
- (xv) for sub-section A(8)(m), the following shall be substituted, namely :—
- "A(8)(m). In units where the raw material has to be stored overnight for want of adequate processing facilities, a chill room of suitable size, maintained at a temperature of 1°C or less, shall be provided. However, in the units where chill room facility is not available, the material shall be permitted to be stored overnight adequately iced";
- (xvi) Sub-section A(8)(n) shall be omitted ;
- (xvii) Sub-section A(8)(o) shall be re-numbered as A(8)(n);
- (xviii) Sub-section A(8)(p) shall be re-numbered as A(8)(o)";
- (xix) Sub-section A(8)(q) shall be re-numbered as A(8)(p)";
- (xx) for sub-section A(10)(iii)(b), the following shall be substituted, namely :—
- "A(10)(iii)(b). The drainage system inside the processing unit shall be properly covered and easily cleanable.";
- (xxi) for sub-section A(11)(a), the following shall be substituted, namely :—
- "A(11)(a). Plant management shall take care to ensure that no person, while known to be affected with a communicable disease, is permitted to work in the area where the product is handled";
- (xxii) for sub-section C(1), the following shall be substituted, namely :—
- "C(1) The processor shall carry out processing only in the approved units under the supervision of the competent personnel.";
- (xxiii) for sub-section C(3), the following shall be substituted, namely :—
- "C(3) The selection of raw material and its subsequent processing, packing and storage, till export shall be carried out under the supervision of competent personnel as per directives given by the agency officers from time to time";
- (xxiv) for sub-section D(1)(b), the following shall be substituted, namely :—

"D(1)(b). A control unit may have more sub-units depending upon the species of the product."

Footnote : S.O No. 4008 dated 31-12-1977 is hereby amended.

[No. 6(21)/76-EI&EP]

K. V. BALASUBRAMANIAM, Dy. Secy.

का० प्रा० 2721 केन्द्रीय सरकार, पिसी हुई हड्डियों, चारों तथा सीसों का निर्यात (निरीक्षण) नियम, 1977 के नियम 7 के साथ पठित, निर्यात (क्यालिटी नियंत्रण और निरीक्षण) अधिनियम, 1983 (1983 का 22) की धारा 7 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए नीचे दी गई सारणी के स्तम्भ (2) में उल्लिखित व्यक्तियों का विशेषज्ञों का पैल नियुक्त करती है, जो अभिकरण द्वारा उक्त धारा 7 के अधीन या उक्त नियम के नियम 5 के अधीन प्रमाण पत्र जारी करने के ह्कार किए जाने के विषय तथा उक्त स्तम्भ (1) में की उससे संबंधित प्रविष्टियों में उल्लिखित क्षेत्रों की बाबत अपीलों की सुनवाई के लिए प्राधिकारी होगा।

यदि उक्त किसी पैल का कोई सदस्य किसी अपील की विषय वस्तु में वैयक्तिक रूप से हितवद्ध है तो अपील से संबंधित कार्यवाहियों में भाग नहीं लेगा।

सारणी

अभिकरण जिनके ह्कार के विषय विशेषज्ञों का पैल गठित करने वाले उन क्षेत्रों की बाबत जिनमें निरीक्षण व्यक्ति जिसको अपील की जा सकती है किया गया है अपील की जा सकेगी

1	2
1. निर्यात निरीक्षण अभिकरण, मद्रास, जो आंध्र प्रदेश तथा तमिल-नाडु के राज्यों तथा पांडिचेरी संघ राज्य क्षेत्र में निरीक्षण करता है।	1. प्रधानाचार्य, मद्रास पशुचिकित्सा कालेज वेपरे, मद्रास-600007 अध्यक्ष। 2. श्री बी० देवमल नायडू, मै० देवमल नायडू एण्ड कं०; 12, सिलवन लाज कावोमी; मद्रास-600010. 3. श्री ए० सुबाराज, मै० ए० एस० राज एण्ड कं० 16, मिलवन लॉज कावोमी किलवाक मद्रास-6000010 4. मोहम्मद इस्माइल प्रबंधक भागी-दार, सवने इण्डिया मैन्योर एण्ड हैनिंग बर्नर्स समाल कोट, आंध्र प्रदेश 5. सहायक कोट विज्ञानी, पावप संपर्क रोड तथा घुमन स्टेशन, कृषि तथा सिंचाई मंत्रालय, मद्रास। 6. जेष्ठ विपणन अधिकारी, विपणन तथा निरीक्षण निवेशक, मद्रास। 7. श्री के० बी० कृष्णस्वामी, वेनिसुलर बोन मिस्स, 18, कोरल मार्केट स्ट्रीट, मद्रास-600001.

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2 नियति निरीक्षण अधिकरण कलकत्ता जो मणीपुर, विपुला मेघालय, उड़ीसा तथा पश्चिमी बंगाल राज्यों तथा अरुणाचल प्रदेश, मिजोरम तथा अरुणाचल और, त्रिपुरा के श्री ममूह सब राज्य क्षेत्र में निरीक्षण करता है।	1 सम्पूर्ण मुख्य नियंत्रक, आयात और निर्यात के संयुक्त मुख्य नियंत्रक का कार्यालय कलकत्ता- 700001— अध्यक्ष 2 श्री एच० मारिस, द्वारा गन ट्रेडिंग कं० ६०-3 गिब्सन हाउस, 8, लेनाजी सुभाष रोड, कलकत्ता-700001 3 श्री ए० के० ठुकरान, द्वारा हिन्दुस्तान बोन मिल 15 गी, बलाईव रोड, कलकत्ता। 4 श्री आर० सी० घटक, द्वारा उत्तरी बंगाल मिल तथा फर्टी- लाइजर प्रा० लि० शिव मंदिर मार्ग, मिलनपाली, मिथीगुडी। 5 श्री ए० के० चटर्जी, प्रबंध निदेशक, बिहार राज्य निर्यात विकास, निगम लि०, त्रिपुरकर्म बिल्डिंग, गांधी मैदान, पटना। 6 ज्येष्ठ विपणन अधिकारी विपणन तथा निरीक्षण निदेशक कलकत्ता। 7 सहायक प्लांट रोग विज्ञानी, पादप संपर्क संघ तथा धूमन स्टेशन, कृषि तथा सिंचाई मंत्रालय गार्डन रोड, कलकत्ता- 700024.	नगर हवेली संघ राज्य क्षेत्रों में निरीक्षण करता है।	2 श्री पी० आर० गाह, मै० हाईवेड ट्रेडिंग कं०, 11, ब्रमस्ट्री कोर्ट, बम्बई-400001. 3 श्री इब्राहीम, मै० अनाता एण्ड सन्, अनाता बिल्डिंग 424 मीनाना अज्जि रोड, पाण्डे बाकम नं० 3646 बम्बई- 400001 4 श्री एम० एल० मेहरा, मै० पी० लॉकर एण्ड सन् (आई०) प्रा० लि०, 40 पुनिस कोर्ट वेन, डा० सी० एन० रोड, मुम्बई 400001. 5 श्री टी० जी० नारायणन, मै० चैम्बर वोन एण्ड फर्टिलाइजर कं० प्रा० लि०, वर्धन हाउस बंगाल रोड, मुम्बई-400038 6. पादप संपर्क संघ अधिकारी, पादप संपर्क रोड तथा धूमन स्टेशन मुम्बई, 7. ज्येष्ठ विपणन अधिकारी, निरी- क्षण तथा विपणन निदेशालय, मुम्बई।
3 नियति निरीक्षण अधिकरण-दिल्ली जो पंजाब, उत्तर प्रदेश, राज- स्थान, हिमाचल प्रदेश तथा जम्मू कश्मीर राज्यों तथा दिल्ली संघ राज्य क्षेत्र में निरीक्षण करता है।	1 डा० के० श्री० पट्टाभिया, केन्द्रीय कीटनाशी बोर्ड फरीदाबाद— अध्यक्ष 2. श्री एस० पी० गुवाठी बोन फैक्टरी दाब वाली मंडी, मै० बाबा पेन्टस प्रा० लि० 202, कटरा बरियां, फतहपुरी, दिल्ली-6 3 श्री आर० आर० मोधी, मै० क्रिन् बोन तथा ह्यू बर्मे कपूरखला, पंजाब 4. श्री एम० एस० कपूर मै० अपर इंडिया बोन मिल पो० बाकस सं० 7- हापुड (उ०प्र०) 5. श्री कंवर सिंह हरि, प्रबंधक निदे- शक, हीरा काशिंग प्रा० लि० जोधपुर (राजस्थान) 6 ज्येष्ठ विपणन अधिकारी, विपणन तथा निरीक्षण निदेशक, नई दिल्ली 7. उप निदेशक, प्लांट संरक्षण निदेशालय, संपर्क रोड तथा भण्डारकरण कृषि तथा सिंचाई मंत्रालय, नई दिल्ली।	[सं० 6 (11)/75 नि० नि० तथा नि० उ०] सी० वी० कुरुतेरी, संयुक्त निदेशक	5 O.2721.—In exercise of the powers conferred by sub-section (4) of section 7 of the Export (Quality Control and Inspection) Act-1963 (22 of 1963), read with rule 7 of the Export of Crushed Bones, Hooves and Horns (Inspection) Rules, 1977, the Central Government hereby constitutes the panel of experts consisting of the persons mentioned in column (2) of the Table given below, as the authority for hearing appeals against the refusal to issue a certificate under the said section 7 or under rule 5 of the said Rules, by the agencies and in respect of the areas mentioned in the corresponding entry in column (1) thereof :— Provided that where a member of any of the said panel is personally interested in the subject matter or any appeal, he shall not take part in the proceeding relating to the appeal :—
4 नियति निरीक्षण अधिकरण - बम्बई जो महाराष्ट्र तथा गुज- रात राज्यों तथा गोवा, दमन तथा दीऊ तथा दावरा और	1 संयुक्त निदेशक, निर्यात संबन्धन, आयात तथा निर्यात के संयुक्त मुख्य नियंत्रक का कार्यालय— अध्यक्ष	TABLE Agencies against whose refusal Persons constituting the panel appeal lies in respect of the of experts of which appeal lies areas in which inspection is carried.	1 1. Export Inspection Agency, Madras, carrying out ins- pection in the areas covered by the States of Andhra Pradesh and Tamil Nadu and the Union terri- tory of Pondicherry.
		2 1. The principal, Madras Veterinary College Vepery, Madras-600007—Chairman 2. Shri V. Perumal Naidu, M/s Perumal Naidu & Co., 12, Silvan Lodge Colony, Madras-600010.	

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	<p>3. Shri A. Subbaraj, M/s. A S. Raj & Co., 16, Silvan Lodge Colony, Kilpauk, Madras-600010</p> <p>4. Md. Ismail, Managing Partner, Southern India Mannure & Tanning Works, Samalkot, Andhra Pradesh.</p> <p>5. Assistant Entomologist, Plant Quarantine and Fumiga- tion Station, Ministry of Agriculture & Irrigation, Madras.</p> <p>6. Senior Marketing Officer, Directorate of Marketing & Inspection, Madras.</p> <p>7. Shri K.V. Kuppuswamy, Peninsulay Bone Mills., 28, Coral Merchant Street Madras-600001.</p>	<p>tion in the areas covered by the States of Punjab, Uttar Pradesh, Rajasthan Himachal Pradesh, Jammu & Kashmir and the Union Territory of Delhi.</p>	<p>Faridabad—Chairman.</p> <p>2. Shri S.P. Gulati, Bone Factory Dabwali Mandi M/s. Bawa Paints Pvt. Ltd., 202, Katia Baryan, Fatehpuri, Delhi-6</p> <p>3. Shri R.R. Sondhi, M/s. Krit Bone & Glue Works Kapurthala N.I. Tanneries Ltd. Kapurthala, Punjab.</p> <p>4. Shri M.L. Kapoor, M/s. Upqer India Bone Mills P.B. No. 7, HAPUR(U.P.)</p> <p>5. Shri Kanwar Hari Singh, Managing Director, Hira Crushing Pvt. Ltd., Jodhpur, Rajasthan.</p> <p>6. Senior Marketing Officer, Directorate of Marketing, & Inspection, New Delhi.</p> <p>7. Deputy Director, Directorate of Plant Protection Quarantine and Storage, Ministry of Agriculture & Irrigation, New Delhi.</p>
2. Export Inspection Agency, Calcutta, carrying out inspec- tion in the areas covered by the States of Manipur, Tripura, Meghalaya, Ori- ssa and West Bengal and the Union territories of Aru- nachal Pradesh, Mizoram and Andaman and Nicobar Islands.	<p>1. Joint Chief Controller, Officer of the Joint Chief Controller of Import & Export, Calcutta-Chairman.</p> <p>2. Shri H. Morris, C/o. Harrison Trading Co., E-3, Gillander House, 8, Netaji Subhash Road, Calcutta-700001.</p> <p>3. Shri A.K. Talukadar, C/o. Hindustan Bone Mill, 15-C, Clive Row, Calcutta.</p> <p>4. Shri R.C. Ghatak, C/o. North Bengal Bone Mill, & Fertilizer Pvt. Ltd., Shiva Temple Road, Milanpalli, SILIGURI.</p> <p>5. Shri A.K. Chatterjee, Managing Director, Bihar State Export Development Corporation Ltd., Bishkuma Building, Gandhi Maidan, Patna.</p> <p>6. Senior Marketing Officer, Directorate of Marketing and Inspection, Calcutta.</p> <p>7. Assistant Plant Pathologists, Plant Quarantine & Fumigation Station, Ministry of Agriculture & Irrigation, Garden Reach Road, CALCUTTA-700024.</p>	4. Export Inspection Agency Bombay, carrying out Ins- pection in the areas covered by the States of Maharashtra & Gujarat and the Union territories of Goa, Daman and Diu and Dadra and Nagar Haveli.	<p>1. Joint Director, Export Promotion, Office of J.C.C.I. & E. Bombay Chairmen.</p> <p>2. Shri P.R. Shah, M/s Hyland Trading Co., 11, Bruce Street Fort, Bombay-400001.</p> <p>3. Shri Ebrahim, M/s. Allana & Sons, Allana Building, 424, Moulana Azad Road, P.B. No. 3646, Bombay-400004.</p> <p>4. Shri M.L. Mehra, M/s. P. Leiner & Sons (I) Pvt. 40. Police Court Lane, Dr. D. N. Road, Bombay-400001.</p> <p>5. Shri T.G. Narayanan, M/s. Chembur Bone & Fertilizer Co. Pvt. Ltd., Darshan House, Ballard Road, BOMBAY-400038.</p> <p>6. Plant Quarantine Officer, Plant Quarantine & Fumigation Station, Bombay,</p> <p>7. Sr. Marketing Officer, Directorate of Marketing and Inspection, Bombay.</p>
3. Export Inspection Agency Delhi, Carrying out inspec-	1. Dr. K.D. Paharia, Central Insecticide Board,		

[No. 6 (11)/75-EI&EP]

C. B. KUKRETI, Joint Director.

स्वास्थ्य और परिवार कल्याण मंत्रालय
(स्वास्थ्य विभाग)

आदेश

नई दिल्ली, 25 जुलाई, 1979

कां० प्र० 2722—यतः भारत सरकार के स्वास्थ्य मंत्रालय तारीख 14 अगस्त, 1962 की अधिसूचना सं० एफ० 16-8/61-एम०आई० द्वारा केन्द्रीय सरकार ने निदेश दिया है कि भारतीय चिकित्सा परिषद अधिनियम, 1956 (1956 का 102) के प्रयोजनों के द्वारा प्रवर्तन म. डी. (हम्बर्ग), पश्चिमी जर्मनी मान्य चिकित्सा अर्हता होगी

और यतः (श्रीमती) क्रिस्टा मनरेकर जिनके पास उक्त अर्हता है अनुसंधान कार्य के प्रयोजनों के लिए फिलहाल केन्द्रीय सरकार खाद्य तन्त्र-नीकी अनुसंधान संस्थान, मैसूर के साथ संबंध है ;

अतः अब, उक्त अधिनियम की धारा 14 की उपधारा (1) के परन्तुक के भाग (ग) का पालन करने हुए केन्द्रीय सरकार एतद्वारा—

(1) इस आदेश के सरकारी राजपत्र में प्रकाशित होने की तारीख से 2 वर्ष की अवधि के लिए

अथवा

(2) उस अवधि को जब तक डा० (श्रीमती) क्रिस्टा मनरेकर केन्द्रीय खाद्य तन्त्र-नीकी अनुसंधान संस्थान, मैसूर के साथ संबंध रखते हैं, जो भी कम हो वह अवधि विनिर्दिष्ट करती है, जिसमें पूर्वोक्त डा० मेडिकल प्रैक्टिस कर सकेंगे ।

[सं० बी० 11016/11/79-एम० ई० (पी०)]

MINISTRY OF HEALTH AND FAMILY WELFARE
(Department of Health)

ORDER

New Delhi, the 25th July, 1979

S.O. 2722.—Whereas by the notification of the Government of India in the Ministry of Health No. F. 16-8/61/MI dated the 14th August, 1962, the Central Government has directed that the Medical qualification, M. D. (Hamburg), West Germany shall be recognised medical qualification for the purposes of the Indian Medical Council Act, 1956 (102 of 1956) ;

And whereas Dr. (Mrs.) Christa Manjrekar, who possesses the said qualification is for the time being attached to the Central Food Technological Research Institute, Mysore for the purposes of Research work ;

Now, therefore, in pursuance of clause (c) of the proviso to sub-section (1) of section 14 of the said Act, the Central Government hereby specifies—

(i) a period of two years from the date of publication of this order in the Official Gazette, or

(ii) the period during which Dr. (Mrs.) Christa Manjrekar is attached to the said Central Food Technological Research Institute, Mysore,

whichever is shorter, as the period to which the medical practice by the aforesaid doctor shall be limited to the said Institution.

[No. V. 11016/11/79-M.E.(Policy)]

नई दिल्ली, 31 जुलाई, 1979

कां० प्र० 2723—यतः भारतीय आयुर्विज्ञान पद्धति अधिनियम 1956 (1956 का 102) की धारा 3 की उपधारा (1) के खंड (ख) के उपबन्धों के अनुसरण में पंजाबी विश्वविद्यालय की सीनेर ने डा० (श्रीमती) सीला रामाकुमार, प्रिंसिपल, गवर्नमेंट मेडिकल कॉलेज, पटियाला तथा 426 GI/79-4

डॉ. फेकल्टी ऑफ मेडिसिन को 4 अप्रैल, 1979 में भारतीय आयुर्विज्ञान परिषद का फिर से सदस्य निर्वाचित किया है ;

अतः अब उक्त अधिनियम की धारा 7 की उपधारा (2) के गांधी पठित धारा 3 की उप धारा (1) के उपबन्धों का अनुसरण करते हुए केन्द्रीय सरकार एतद्वारा निदेश देती है कि डा० (श्रीमती) सीला रामा कुमार, प्रिंसिपल, गवर्नमेंट मेडिकल कॉलेज, पटियाला और डीन फैकल्टी ऑफ मेडिसिन भारतीय आयुर्विज्ञान की सदस्य बनी रहेंगी ।

[संख्या बी० 11013/8/79-एम० ई० (पी०)]

आशा शर्मा, उप सचिव

New Delhi, the 31st July, 1979

S.O. 2723.—Whereas in pursuance of the provisions of clause (b) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), Dr. (Mrs.) Leila Rama Kumar, Principal, Government Medical College, Patiala and Dean, Faculty of Medicine has been re-elected by the Senate of the Punjab University to be a member of the Medical Council of India, with effect from the 4th April, 1979 ;

Now, therefore, in pursuance of the provisions of sub-section (1) of section 3 read with sub-section (5) of section 7 of the said Act, the Central Government hereby directs that Principal, Government Medical College, Patiala and Dean, Faculty of Medicine, shall continue to be the member of the Medical Council of India.

[No. V. 11013/8/79-M.E.(Policy)]

ASHA SHARMA, Dy. Secy.

नई दिल्ली, 28 जुलाई, 1979

कां० प्र० 2724—यतः भारतीय नर्सिंग परिषद अधिनियम 1947 (1947 का 48) की धारा 3 की उपधारा (1) के खण्ड (घ) के अन्तर्गत डा० ए०वी० संगमनेरकर, कालोनी नर्सिंग होम, 209, सदाशिव पेठ, पूना को 6 अप्रैल, 1979 में डा० एन० एन० भट्टाचार्यजी के स्थान पर भारतीय नर्सिंग परिषद का सदस्य निर्वाचित किया गया है ;

अतः अब, उक्त अधिनियम की धारा 3 की उपधारा (1) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत सरकार के मृतपूर्व स्वास्थ्य मंत्रालय अधिसूचना संख्या सा० का० नि० 1147, दिनांक 1 दिसम्बर 1958 में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में “धारा 3 की उपधारा (1) के खण्ड (घ) के अधीन निर्वाचित” शीर्ष के अन्तर्गत वर्तमान प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि प्रतिस्थापित की जाए, अर्थात्

“डा० ए० बी० संगमनेरकर

कालोनी नर्सिंग होम,

209, सदाशिव पेठ,

पूना 1”

[संख्या बी० 14013/1/79-पी० एम० एस०]

एन० ए० सुब्रामण्य, अव्वर सचिव

New Delhi, the 28th July, 1979

S.O. 2724.—Whereas, Dr. A. V. Sangamnerkar, Colony Nursing Home, 209, Sadashiv Peth, Poona has been elected to be a member of the Indian Nursing Council, under clause (d) of sub-section (1) of section 3 of the Indian Nursing Council Act, 1947 (48 of 1947), with effect from 6th April, 1979 vide Dr. N. N. Bhattacharjee;

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the

Government of India in the late Ministry of Health No. GSR 1147, dated the 1st December, 1958, namely :—

“Dr. A. V. Sangamnerkar, Colony Nursing Home, 209, Sadashiv Peth, POONA.”

In the said notification, under the heading “Ilected under clause (d) of sub-section (1) of section 3” for the entry, the following entry shall be substituted namely :—

[No. V. 14013/1/79-PMS]

N. A. SUBRAMONEY, Under Secy.

कृषि और सिंचाई मंत्रालय

(खाद्य विभाग)

आदेश

नई दिल्ली, 21 जुलाई, 1979

का० खा० 2725 —अतः केन्द्रीय सरकार ने खाद्य विभाग, क्षेत्रीय खाद्य निदेशालयों, उपापत्ति निदेशालयों और खाद्य विभाग के बेतन तथा लेखा कार्यालयों द्वारा किए जाने वाले खाद्यान्नों के क्रय, अण्डारकरण, संचालन, परिवहन, वितरण तथा विक्रय के कृत्यों का पालन करना बन्द कर दिया है जोकि खाद्य निगम अधिनियम, 1964 (1964 का 37) की धारा 13 के अधीन भारतीय खाद्य निगम के कृत्य हैं।

और यत् खाद्य विभाग, क्षेत्रीय खाद्य निदेशालयों, उपापत्ति निदेशालयों और खाद्य विभाग के बेतन तथा लेखा कार्यालयों में कार्य कर रहे और उपरि-वर्णित कृत्यों के पालन में लगे निम्नलिखित अधिकारियों और कर्मचारियों ने केन्द्रीय सरकार के तारीख 16 अप्रैल, 1971 के परिपत्र के प्रत्युत्तर में उसमें निर्दिष्ट तारीख के अन्दर भारतीय खाद्य निगम के कर्मचारी न बनने के अपने आग्रहों को उक्त अधिनियम की धारा 12-ए की उपधारा (1) के परन्तुक द्वारा यथा अपेक्षित सूचना नहीं दी है।

अतः अन्न, खाद्य निगम अधिनियम, 1964 (1964 का 37) यथा अधिनियम संहिता की धारा 12-ए द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा निम्नलिखित कर्मचारियों को प्रत्येक के सामने दी गई तारीख से भारतीय खाद्य निगम में स्थानान्तरित करती है :—

क्रम सं०	अधिकारी/कर्मचारी का नाम	केन्द्रीय सरकार के अधीन स्थायी पद	स्थानान्तरण के समय केन्द्रीय सरकार के अधीन पद	भारतीय खाद्य निगम को स्थानान्तरण की तारीख
1	2	3	4	5
1.	श्री बी०आर० वर्मा	उच्च श्रेणी लिपिक	उच्च श्रेणी लिपिक	29-4-69
2.	श्री रामा शंकर	उच्च श्रेणी लिपिक	उच्च श्रेणी लिपिक	17-4-69 (अपराह)
3.	श्री रवि नन्दन शर्मा	उच्च श्रेणी लिपिक	उच्च श्रेणी लिपिक	1-4-69 (अपराह)
4.	श्री एम० आर० साधुबाबू	उच्च श्रेणी लिपिक	सेलेक्शन ग्रेड क्लर्क	12-5-70 (अपराह)
5.	श्री कुन्दन सिंह चहल	उच्च श्रेणी लिपिक	उच्च श्रेणी लिपिक	25-4-69 (अपराह)
6.	श्री एन० के० सूब	अवर श्रेणी लिपिक	अवर श्रेणी लिपिक	7-12-70
7.	श्री श्रीम प्रकाश	—	अवर श्रेणी लिपिक	24-3-70
8.	श्री एम० के० धीर	उच्च श्रेणी लिपिक	उच्च श्रेणी लिपिक	17-4-69 (अपराह)
9.	श्री एच० एम० बांगा	अवर श्रेणी लिपिक	उच्च श्रेणी लिपिक	17-4-69 (अपराह)
10.	श्री एम० पी० उपरेनी	उच्च श्रेणी लिपिक	उच्च श्रेणी लिपिक	25-4-70 (अपराह)

[स० 52/5/79-एफ०सी० III]

एस०एस० कम्बोई, अवर सचिव

MINISTRY OF AGRICULTURE & IRRIGATION

(Department of Food)

ORDER

New Delhi, the 21st July, 1979

S.O. 2725.—Whereas the Central Government has ceased to perform the functions of purchase, storage, movement, transport, distribution and sale of foodgrains done by the Department of Food, the Regional Directorates of Food, the Procurement Directors and the Pay & Accounts Offices of the Department of Food which under Section 13 of Food Corporations Act, 1964 (37 of 1964) are the functions of the Food Corporation of India;

And whereas the following officers and employees serving in the Department of Food, the Regional Directorate of Food, the Procurement Directorates and the Pay & Accounts Offices of the Department of Food and engaged in the performance of the functions mentioned above have not, in response to the Circular of the Central Government dated the 16th April, 1971 intimated, within the date specified therein, their intention of not becoming employees of the Food Corporation of India as required by the proviso to sub section (1) of Section 12A of the said Act ;

Now therefore, in exercise of the powers conferred by Section 12A of the Food Corporations Act, 1964 (37 of 1964) as amended upto date the Central Government hereby transfer the following officers and employees to the Food Corporation of India with effect from the date mentioned against each of them.

Sl. No.	Name of the Officer/employees	Permanent posts held under the Central Govt.	Post held under the Central Govt. at the time of transfer	Date of transfer to the FCI
1	2	3	4	5
1.	Shri B.R. Verma	U.D.C.	U.D.C.	29-4-69
2.	Sh. Rania Shankar	U.D.C.	U.D.C.	17-4-69 (A.N.)
3.	Sh. Ravi Nandan Sharma	U.D.C.	U.D.C.	1-4-69 (A.N.)
4.	Sh. M.R. Sabharwal	U.D.C.	Selection Grade Clerk	12-5-70 (A.N.)
5.	Sh. Kundan Singh Chahal	U.D.C.	U.D.C.	25-4-69 (A.N.)
6.	Sh. N.K. Sood	L.D.C.	L.D.C.	7-12-70
7.	Shri Om Prakash	—	L.D.C.	24-3-70
8.	Sh. S.K. Dheer	U.D.C.	U.D.C.	17-4-69 (A.N.)
9.	Sh. H.S. Banga	L.D.C.	U.D.C.	17-4-69 (A.N.)
10.	Sh. S.P. Upreti	U.D.C.	U.D.C.	25-4-70 (A.N.)

[No. 52/5/79—FC. III.]

S.L. KAMBOH, Under Secy.

शिक्षा तथा समाज कल्याण मंत्रालय

(शिक्षा विभाग)

सूचि-पत्र

नई दिल्ली, 17 जुलाई, 1979

का० प्र० 2726—29 मंत्रालय की दिनांक 4 जनवरी, 1979 की अधिसूचना के संदर्भ में जहाँ श्री भन्सा का नाम "वामनदेव प्रगिया" पेंसिविक युव एथेलपमट सेन्टर, चंडीगढ़ आया हो उसके स्थान पर "वामन देव युव प्रोग्राम : प्रगिया पेंसिविक सेन्टर, चंडीगढ़" पढ़ा जाए।

[स० एफ० 12-10/75 एन० एम० बार्ड०-11]

अनिल बार्डिया, मंजूरत सचिव

MINISTRY OF EDUCATION & SOCIAL WELFARE

(Department of Education)

CORRIGENDUM

New Delhi, the 17th July, 1979

S.O. 2726.—Reference this Ministry Notification dated the 3rd January, 1978, the name of the Institution wherever it has occurred may be read as "Commonwealth Youth Programme : Asia-Pacific Centre, Chandigarh" in place of "Commonwealth Asia-Pacific Youth Development Centre Chandigarh."

[No. F. 12-10/75 NSY-II]

ANIL BORDIA, Jt. Secy.

संस्कृति विभाग

भारतीय पुरातत्व सर्वेक्षण

नई दिल्ली, 13 नवम्बर, 1978

का० प्र० 2727—केंद्रीय सरकार ने, भारत के राजपत्र, भाग 2, खण्ड 3, उपखण्ड (1), तारीख 15 जनवरी, 1977 में प्रकाशित, भारत सरकार में संस्कृति विभाग की अधिसूचना सं० का० प्र० 171, तारीख 22 नवम्बर, 1976 द्वारा उक्त अधिसूचना की अनुसूची में विनिर्दिष्ट कनिष्ठ प्राचीन स्मारकों का राष्ट्रीय महत्व का घोषित करने के अपने आदेश को दो मास की सूचना दी थी और उक्त अधिसूचना की एक प्रति प्राचीन स्मारक तथा पुरातत्त्व विभाग और अधिनिधम, 1958 (1958 का 24) का धारा 1 की उपधारा (1) का अधिनियम उक्त प्राचीन स्मारक के निकट सहज दृश्य स्थान पर लिखा जा चुका है,

और उक्त राजपत्र 15 जनवरी, 1977 की जनता की उपस्थिति करा दिया गया था,

और जनता से कोई आक्षेप प्राप्त नहीं हुए हैं;

अतः, अब, केंद्रीय सरकार, उक्त अधिनियम की धारा 4 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नीचे की अनुसूची में विनिर्दिष्ट प्राचीन स्मारक को राष्ट्रीय महत्व का घोषित करती है।

अनुसूची

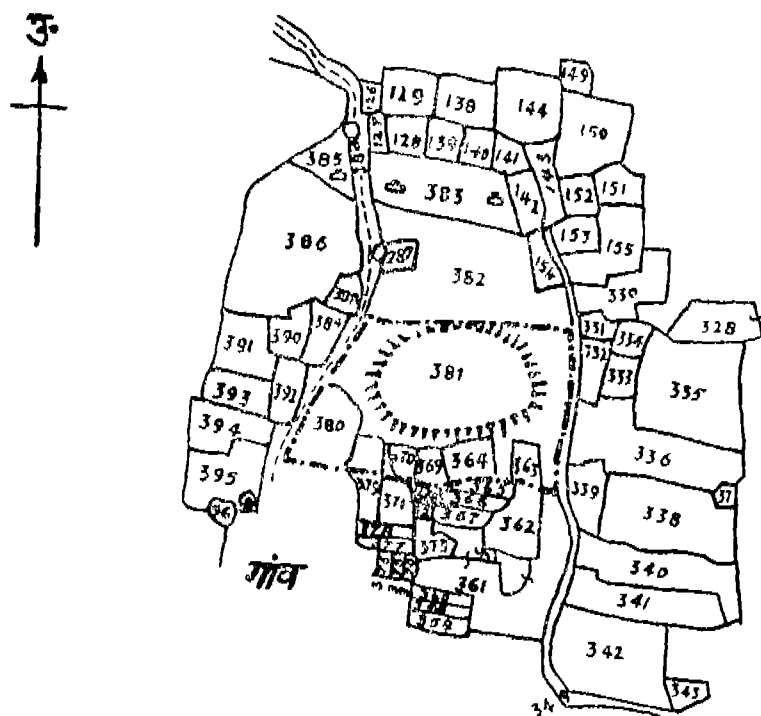
(1)	(2)	(3)	(4)	(5)	(6)
बिहार	गया	राजस्व खाना सं० 354	ग्राम बवरीर पालम खाना बंध गया, परगना महार अंचल बंध गया।	प्राचीन स्तूप और अन्य अवशेष जिसका स्थानीय नाम मुजाता गढ़ है।	उद्धृत स्थल रेखांक में यथा दर्शित सर्वेक्षण प्लॉट सं० 363, 364, 369, सर्वेक्षण प्लॉट सं० 370, 371 और 379 के भाग और सर्वेक्षण प्लॉट सं० 380 और 381।

क्षेत्रफल			सीमाएं	स्वामित्व	टिप्पणी
(7)			(8)	(9)	(10)
सर्वेक्षण प्लॉट सं०	एकर	इंसिमल			
363	0	11	उत्तर सर्वेक्षण प्लॉट सं० 382	1 सर्वेक्षण प्लॉट सं० 363 बकरार के ब्रिगेज महतो	
364	0	17	पूरब सर्वेक्षण प्लॉट सं० 319 नागा	पुत्र गुतांग महतो ।	
369	0	09	दक्षिण सर्वेक्षण प्लॉट सं० 361, 362, 365	2 सर्वेक्षण प्लॉट सं० 364 बकरार के ननकू महतो	
370(पा)	0	05	368 और सर्वेक्षण प्लॉट सं०	पुत्र राम बेणर महतो ।	
371(पा)	0	05-1/4	370, 371 और 379 और प्रांग	3 सर्वेक्षण प्लॉट सं० 369 बकरार के गियाराम	
379(पा)	0	00-1/2	के शेष भाग ।	महतो पुत्र शकर महतो ।	
380	0	37	पश्चिम सर्वेक्षण प्लॉट सं० 384 प्रांग मंड ।	4 सर्वेक्षण प्लॉट सं० 370 बकरार के मुखलाज महतो	
381	2	39		पुत्र दुर्गा महतो ।	
				5 सर्वेक्षण प्लॉट सं० 371, बकरार के स्थगवासी	
				जागा महतो की विधवा महतो ।	
				6 सर्वेक्षण प्लॉट सं० 379, बकरार के मुखलाज	
				महतो पुत्र दुर्गा महतो ।	
				7 सर्वेक्षण प्लॉट सं० 380, बकरार के रवल महतो	
				पुत्र बिगन महतो ।	
				8 सर्वेक्षण प्लॉट सं० 381, बिहार सरकार ।	

एकर

प्राचीन स्तूप और दुसरे खंडहरों का स्थल मानचित्र,
स्थानीय रूप से जो सुजाता गढ़ नाम से प्रसिद्ध,
बकरोर, जिला— गया

50 0 50 100 150 200 250 300 350 मीटर



सुरक्षा की प्रस्तावित सीमाएं

DEPARTMENT OF CULTURE

(Archaeological Survey of India)

New Delhi, the 13th November, 1978

S.O.2727.—WHEREAS by the notification of the Government of India in the Department of Culture No. S.O. 171, dated the 22nd November, 1976, published in Part II, Section 3, Sub-section (ii) of the Gazette of India, dated the 15th January, 1977, the Central Government gave two months' notice of its intention to declare certain ancient monument specified in the Schedule to the said notification to be of national importance, and a copy of the said notification was affixed in a conspicuous place near the said ancient monument as required by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958),

And, whereas the said Gazette was made available to the public on the 15th January, 1977;

And whereas no objections have been received from the public,

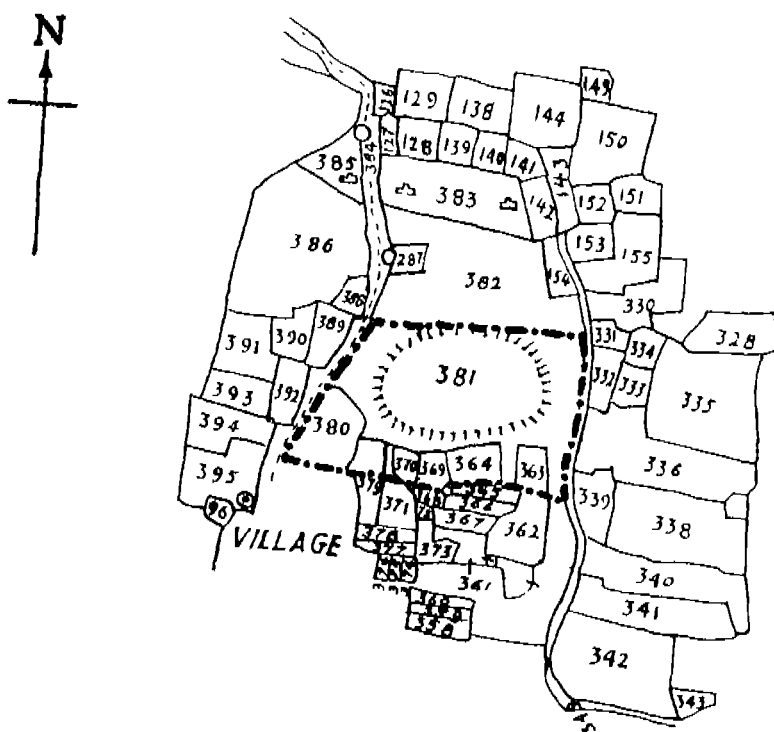
Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the said Act, the Central Government hereby declares the ancient monument specified in the Schedule below to be of national importance.

SCHEDULE

Name	District	Tehsil	Locality	Name of ancient monument	Revenue plot Nos. to be included under protection
1	2	3	4	5	6
Bihar	Gaya	Revenue Thana No. 358.	Village Bakraur P.S. Bodh Gaya Pargana Meher Anchal Bodh Gaya.	Ancient stupa and other remains locally known as Sujata Garh.	Survey plot Nos. 363, 364, 369 parts of survey plot numbers 370, 371 and 379 survey plot numbers 380 and 381 as shown in the site plan reproduced.
Area	Boundaries		Ownership		Remarks
7	8		9		10
S. Plot No. 363	Ac. Dec. 0 11	North—Survey plot No. 382. East—Survey plot No. 319, Nala.	1. Survey plot No. 363 : Triveni Mahato s/o Ganauri Mahato of Bakraur.		
No. 364	0.17	South—Survey plot Nos. 361, 362, 365,	2. Survey plot No. 364 Nanku Mahato s/o Ram Keshar Mahato of Bakraur.		
No. 369	0 09	368 and remaining portions of survey			
No. 370 (p)	0.05	plot Nos. 370, 371 and 379 and village.			
No. 371 (p)	0.03	West—Survey plot No. 384, village road	3. Survey plot No. 369 Siya Ram Mahato s/o Shankar Mahato of Bakraur.		
No. 379 (p)	0.08				
No. 380	0.37				
No. 381	2 39		4. Survey plot No. 370 Mukhlal Mahato s/o Dukkhi Mahato of Bakraur.		
	3.29½				
	acres		5. Survey plot No. 371 widow Mahangi w/o Late Jogu Mahato of Bakraur.		
			6. Survey plot No. 379 Mukhlal Mahato s/o Dukkhi Mahato of Bakraur.		
			7. Survey plot No. 380 Rewat Mahato s/o Viggan Mahato of Bakraur.		
			8. Survey plot No. 381 Government of Bihar.		

SITE-PLAN OF ANCIENT STUPA AND OTHER REMAINS, LOCALLY KNOWN AS SUJATA GARH, BAKRAUR, DISTRICT GAYA

50 0 50 100 150 200 250 300 350 METRES



LIMITS OF PROPOSED PROTECTION

[No. 2/36/73—M]

M.N. DESHPANDE, Dir. General and Ex-Officio Lt. Secy.

दिल्ली विकास प्राधिकरण

नई दिल्ली, 26 जुलाई, 1979

DELHI DEVELOPMENT AUTHORITY

New Delhi, the 26th July, 1979

क्र० अ० 2728—दिल्ली विकास अधिनियम, 1957 (1957 की सं० 61) की धारा 52 की उपधारा (1) के अन्तर्गत निहित शक्तियों का प्रयोग करते हुए, दिल्ली विकास प्राधिकरण एतद्वारा दि० वि प्रा० (वेतन भत्ते एवं शर्तों) नियम 1961 की शर्तों में द्वितीय श्रेणी तक के पदों के लिए प्राधिकरण के उपाध्यक्ष तथा प्रथम श्रेणी तक के पदों के लिए अध्यक्ष को नियुक्ति एवं अनुशासनात्मक कार्रवाई करने की शक्तियाँ प्रदान करना है और उनका प्रयोग करने के लिये प्राधिकृत करना है।

[सं० एक 1(1)/79 समन्वय गा०-97-76]

हनी राम गोयल, सचिव

S.O. 2728.—In exercise of the powers vested in it under Sub-section (1) of Section 52 of the Delhi Development Act 1957 (No. 61 of 1957), the Delhi Development Authority hereby delegates its power as appointing and disciplinary authority in terms of the DDA (Salaries, Allowances and conditions of Service) Regulations, 1961 for posts upto Class II to its Vice-Chairman and for posts upto Class I to its Chairman and authorises them to act as such.

[No. F. 1(1)/79-Coord./Res. 97-76]

H. R. GOEL, Secy.

पूर्ति और पुनर्वास मंत्रालय

(पुनर्वास विभाग)

नई दिल्ली, 17 जुलाई, 1979

का०आ० 2729.—निष्पन्न सम्पत्ति प्रशासन अधिनियम, 1950 (1950 का 31) की धारा 55 की उपधारा (1) द्वारा महा अधिग्रहण के रूप में मुझे प्रदत्त शक्तियों का प्रयोग करते हुए, मैं कौशल कुमार इसके द्वारा इस विभाग की अधिसूचना संख्या 1(3)/वि०से०/79-एस-एस-II दिनांक 17 जुलाई, 1979 द्वारा यह महा अधिग्रहण के रूप में निष्पन्न गुजरात राज्य के पदेन विशेष सचिव (राजस्व) तथा भूमि सुधार आयुक्त का महा अधिग्रहण की निम्न शक्तियाँ सौंपता हूँ —

- (i) अधिनियम की धारा 24 और 27 के अतीत शक्तियाँ।
- (ii) अधिनियम की धारा 10(3)(b) के अधीन किसी भी निष्पन्न सम्पत्ति के हस्तान्तरण के अनुमोदन की शक्तियाँ।
- (iii) निष्पन्न सम्पत्ति प्रशासन (केन्द्रीय) नियम, 1950 के नियम 30-क के अधीन मामलों के हस्तान्तरण की शक्तियाँ।

[संख्या 1(3)/वि०से० 79-एस-एस-II]

कौशल कुमार, महा अधिग्रहण

MINISTRY OF SUPPLY & REHABILITATION

(Department of Rehabilitation)

New Delhi, the 17th July, 1979

S.O. 2729.—In exercise of the powers conferred on me as a Custodian General by Sub-Section (3) of Section 55 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), I, Kaushal Kumar, hereby delegate to the Commissioner of Land Reforms and Ex-Officio Special Secretary (Revenue), Govt. of Gujarat, appointed as Deputy Custodian General vide this Department's notification No. 1(3)/Spl.Cell/79-SS-II, dated the 17th July, 1979, the following powers of the Custodian General :—

- (i) Powers under Section 24 and 27 of the Act.
- (ii) Powers of approval of transfer of any evacuee property under Section 10(2) (b) of the Act.
- (iii) Powers of transfer of cases under Rule 30A of the Administration of Evacuee Property (Central) Rules, 1955.

[No. 1(3)/Spl.Cell/79-SS-II]

KAUSHAL KUMAR, Custodian General

हस्तात और खान मंत्रालय

(खान विभाग)

नई दिल्ली, 18 अप्रैल, 1979

का०आ० 2730.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (1) के अनुसरण में हस्तात और खान मंत्रालय, खान विभाग के अधीन निम्नलिखित कार्यालय को, जिसके कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, उक्त उपनियम के प्रयोजनों के लिए अधिसूचित करना है।

1. भारतीय भू-वैज्ञानिक सर्वेक्षण

उत्तर क्षेत्र कार्यालय, लखनऊ।

[संख्या ई-11017(5)/78-हिन्दी]

MINISTRY OF STEEL AND MINES

(Department of Mines)

New Delhi, the 18th April, 1979

S.O. 2730.—In pursuance of Sub-rule (4) of rule 10 of the Official Languages (use for Official purposes of the Union) Rules, 1976, the Central Government hereby notify the following office under the Ministry of Steel & Mines, Deptt. of Mines, the staff whereof have acquired working knowledge of Hindi, for the purposes of the said sub-rule :—

1. Northern Regional office of the Geological Survey of India, Lucknow

[No. E-11011(S)/78-Hindi]

नई दिल्ली, 5 मई 1979

का०आ० 2731.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 के नियम 10 के उपनियम (1) के अनुसरण में हस्तात और खान मंत्रालय, खान विभाग के अधीन निम्नलिखित कार्यालय को, जिसके कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, उक्त उपनियम के प्रयोजनों के लिए अधिसूचित करना है —

1. भारतीय भू-वैज्ञानिक सर्वेक्षण,

पश्चिमी क्षेत्र कार्यालय, जयपुर।

[संख्या ई-11017(5)/78-हिन्दी]

मालवी सुनीला मिश्रा, उप सचिव

New Delhi, the 5th May, 1979

S.O. 2731.—In pursuance of Sub-rule (4) of rule 10 of Official Languages (use for Official purposes of the Union) Rules, 1976, the Central Government hereby notify the following office under the Ministry of Steel & Mines, Department of Mines, the staff whereof have acquired working knowledge of Hindi, for the purposes of the said sub-rule :—

1. Western Regional office of Geological Survey of India, Jaipur.

[No. E-11017(5)/78-Hindi]

M. S. SINHA, Dy. Secy.

संचार मंत्रालय

(डाक तार बोर्ड)

नई दिल्ली, 25 जुलाई, 1979

का०आ० 2732.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने कुम्बुम टेलीफोन केन्द्र में दिनांक 16-8-79 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[सं० 5-5/79-पी एच बी]

MINISTRY OF COMMUNICATIONS

(P & T Board)

New Delhi, the 25th July, 1979

S.O. 2732.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies 16-8-1979 as the date on which the Measured Rate System will be introduced in Cumbum Telephone Exchange, Tamil Nadu Circle.

[No. 5-5/79-PHIB]

नई दिल्ली, 28 जुलाई, 1979

का०आ० 2733.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने कोयंबटूर टेलीफोन केन्द्र में दिनांक 16-8-79 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-21/79 पी०एच०बी०]

आर०सी० कटारिया, सहायक महानिदेशक (पी०एच०बी०)

1. जिला प्रीर सेशन जज, आलाबाद
2. जिला प्रीर सेशन जज, बन्वर (जयपुर)
3. जिला प्रीर सेशन जज, बेरून
4. जिला प्रीर सेशन जज, भिड़
5. जिला प्रीर सेशन जज, भोपाल
6. जिला प्रीर सेशन जज, बिलासपुर
7. जिला प्रीर सेशन जज, छत्तरपुर
8. जिला प्रीर सेशन जज, छिड़वाड़ा
9. जिला प्रीर सेशन जज, दमोह
10. जिला प्रीर सेशन जज, दमिया
11. जिला प्रीर सेशन जज, देवास
12. जिला प्रीर सेशन जज, धार
13. जिला प्रीर सेशन जज, दुर्ग
14. जिला प्रीर सेशन जज, ईस्ट नीमार (खंडवा)
15. जिला प्रीर सेशन जज, गुना
16. जिला प्रीर सेशन जज, ग्वालियर
17. जिला प्रीर सेशन जज, हीमंगवादा
18. जिला प्रीर सेशन जज, हंदौर
19. जिला प्रीर सेशन जज, जबलपुर
20. जिला प्रीर सेशन जज, झाबुआ
21. जिला प्रीर सेशन जज, मंडला
22. जिला प्रीर सेशन जज, मन्दासोर
23. जिला प्रीर सेशन जज, मोरेना
24. जिला प्रीर सेशन जज, नरसिंहपुर
25. जिला प्रीर सेशन जज, पन्ना
26. जिला प्रीर सेशन जज, रायगढ़
27. जिला प्रीर सेशन जज, रायपुर
28. जिला प्रीर सेशन जज, रायसेन
29. जिला प्रीर सेशन जज, राजगढ़
30. जिला प्रीर सेशन जज, राजनन्दगाव
31. जिला प्रीर सेशन जज, रतनाम
32. जिला प्रीर सेशन जज, रोधी
33. जिला प्रीर सेशन जज, सागर
34. जिला प्रीर सेशन जज, सतना
35. जिला प्रीर सेशन जज, सिहोर
36. जिला प्रीर सेशन जज, सिवनी
37. जिला प्रीर सेशन जज, शहडोल
38. जिला प्रीर सेशन जज, भाजोपर

39. जिला और सेशन जज, शिवपुरी
40. जिला और सेशन जज, सिवाही
41. जिला और सेशन जज, सरगुजा (धम्मिकापुर)
42. जिला और सेशन जज, टिकमगढ़
43. जिला और सेशन जज, उज्जैन
44. जिला और सेशन जज, विदिशा
45. जिला और सेशन जज, बैस्ट नीमार
(भंडोलेश्वर)",

(3) तमिलनाडु राज्य से संबंधित क्रम सं० 20 के सामने कालम 2 की प्रविष्टियों के लिए निम्नलिखित प्रविष्टियाँ प्रतिस्थापित करें :—

20. तमिलनाडु
 1. जिला और सेशन जज नाथं प्रकाट
(प्रधान कार्यालय, वेल्सोर)
 2. जिला और सेशन जज, कोयम्बटूर (बैस्ट)
(प्रधान कार्यालय, कोयम्बटूर)
 3. जिला और सेशन जज, कोयम्बटूर ईस्ट
(प्रधान कार्यालय, इरोड)
 4. जिला और सेशन जज, मयुरी (प्रधान कार्यालय, मयुरी)
 5. जिला और सेशन जज, कोयम्बटूर और नीलगिरी
(प्रधान कार्यालय, नागापट्टनम)
 6. जिला और सेशन जज, तंजावूर (बैस्ट)
(प्रधान कार्यालय, नागापट्टनम)
 7. जिला और सेशन जज, तंजावूर (बैस्ट)
(प्रधान कार्यालय, तंजावूर)
 8. जिला और सेशन जज, रामनाथपुरम
(प्रधान कार्यालय, मयुरी)
 9. जिला और सेशन जज, धर्मापुरी
(प्रधान कार्यालय, कृष्णागिरी)
 10. जिला और सेशन जज, तिरुनेलवेली
(प्रधान कार्यालय, तिरुनेलवेली)
 11. जिला और सेशन जज, कन्या कुमारी
(प्रधान कार्यालय, नागर-कोडल)
 12. जिला और सेशन जज, सेलम (प्रधान कार्यालय, सेलम)
 13. जिला और सेशन जज, चेन्नै लपेट्टे
(प्रधान कार्यालय, चेन्नै लपेट्टे)
 14. जिला और सेशन जज, तिरुचिरापल्ली
(प्रधान कार्यालय, तिरुचिरापल्ली)
 15. जिला और सेशन जज, साउथ प्रकाट
(प्रधान कार्यालय, कट्टलूर)
 16. जिला और सेशन जज, पुडुकोट्टे
(प्रधान कार्यालय, पुडुकोट्टे)
 17. जिला मजिस्ट्रेट, कोयम्बटूर
(प्रधान कार्यालय, कोयम्बटूर)
(समुच्च कोयम्बटूर और नीलगिरी क्षेत्र जिला)

18. मिनिपल जज, सिटी सिविल कोर्ट,
मद्रास सिटी

[सं० 70 टी-जी 11/1026/29/का० 11]
पी०एन० मोहिले, सचिव

MINISTRY OF RAILWAYS
(Railway Board)

New Delhi, the 28th July, 1979

S.O. 2735.—In exercise of the powers conferred by Section 82-B of the Indian Railways Act, 1890 (9 of 1890), read with sub-rule (1) of rule 4 of the Railway Accidents (Compensation) Rules, 1950, the Central Government hereby directs that the following amendments shall be made in the notification of the Government of India in the Ministry of Railways No. S.O. 522 dated the 25th January, 1974, namely :—

In the said notification, in the Schedule :—

(i) Against S. No. 3 relating to the State of Bihar, in column 2, after item 17, the following item shall be inserted, namely :—

"18. District Judge' Begusarai.";

(ii) against serial number 13 relating to State of Madhya Pradesh, for the entries in column 2, the following entries shall be substituted namely :—

"13. Madhya Pradesh

1. District and Sessions Judge, Balaghat
2. District and Sessions Judge, (Bastar Jagdalpur)
3. District and Sessions Judge, Betul
4. District and Sessions Judge, Bhind
5. District and Sessions Judge, Bhopal
6. District and Sessions Judge, Bilaspur
7. District and Sessions Judge, Chhatarpur
8. District and Sessions Judge, Chhindwara
9. District and Sessions Judge, Damoh
10. District and Sessions Judge, Datla
11. District and Sessions Judge, Dewas
12. District and Sessions Judge, Dhar
13. District and Sessions Judge, Durg
14. District and Sessions Judge, East Nimar (Khandwa)
15. District and Sessions Judge, Guna
16. District and Sessions Judge, Gwalior
17. District and Sessions Judge, Hoshangabad
18. District and Sessions Judge, Indore
19. District and Sessions Judge, Jabalpur
20. District and Sessions Judge, Jhabua
21. District and Sessions Judge, Mandla
22. District and Sessions Judge, Mandasaur
23. District and Sessions Judge, Morena
24. District and Sessions Judge, Narsimhapur
25. District and Sessions Judge, Panna
26. District and Sessions Judge, Raigarh
27. District and Sessions Judge, Raipur
28. District and Sessions Judge, Raisen
29. District and Sessions Judge, Rajgarh
30. District and Sessions Judge, Rajnandgaon
31. District and Sessions Judge, Ratlam
32. District and Sessions Judge, Rewa
33. District and Sessions Judge, Sagar
34. District and Sessions Judge, Satna

35. District and Sessions Judge, Sehore
 36. District and Sessions Judge, Seoni
 37. District and Sessions Judge, Shahdol
 38. District and Sessions Judge, Shahdol
 39. District and Sessions Judge, Shivpuri
 40. District and Sessions Judge, Sidhi
 41. District and Sessions Judge, Surguja (Ambikapur)
 42. District and Sessions Judge, Tikamgarh
 43. District and Sessions Judge, Ujjain
 44. District and Sessions Judge, Vidisha
 45. District and Sessions Judge, West Nimar (Mandleshwar)";

(iii) against serial number 20 relating to the State of Tamil Nadu, for entries in column 2, the following entries shall be substituted namely :-

"20. Tamilnadu

1. District and Sessions Judge, North Arcot (H.Q. at Vellore)
 2. District and Sessions Judge, Coimbatore (West) (H.Q. at Coimbatore)
 3. District and Sessions Judge, Coimbatore East (H.Q. at Erode)
 4. District and Sessions Judge, Madurai (H.Q. at Madurai)
 5. District and Sessions Judge, Coimbatore & Nilgiris (H.Q. at Nagapattinam)
 6. District and Sessions Judge, Thanjavur (East) (H.Q. at Nagapattinam)

7. District and Sessions Judge, Thanjavur (West) (H.Q. at Thanjavur)
 8. District and Sessions Judge, Ramanathapuram (H.Q. at Madurai)
 9. District and Sessions Judge, Dharmapuri (H.Q. at Krishnagiri)
 10. District and Sessions Judge, Tirunelveli (H.Q. at Tirunelveli)
 11. District and Sessions Judge, Kanyakumari (H.Q. at Nagercoil)
 12. District and Sessions Judge, Salem (H.Q. at Salem)
 13. District and Sessions Judge, Chengalpattu (H.Q. at Chengalpattu)
 14. District and Sessions Judge, Tiruchirappalli (H.Q. at Tiruchirappalli)
 15. District and Sessions Judge, South Arcot (H.Q. at Cuddalore)
 16. District and Sessions Judge, Pudukkottai (H.Q. at Pudukkottai)
 17. District Magistrate, Coimbatore (H.Q. at Coimbatore)
 18. The Principal Judge, City Civil Court, Madras City."

[No. 70/TGII/1026/29/Vol.II]
 P. N. MOHILE, Secy.

अन्य संज्ञाएँ

नई दिल्ली, 11 जुलाई, 1979

आदेश

कां० प्रा० 2736—इससे उपायध्वनित प्रत्यक्षी में निम्नलिखित प्रौद्योगिक विवाद श्री सोहन राज कोठारी, पीठासीन अधिकारी, प्रौद्योगिक अधिकरण, जयपुर के समक्ष सम्बन्धित पड़े हैं ;

श्री सोहन राज कोठारी की सेवाएं अब उपलब्ध नहीं रही हैं ;

अतः, अब प्रौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 33-अ की उपधारा (1) के साथ पठित धारा 7क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक प्रौद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री मुरलीधर चौधरी होंगे, जिनका मुख्यालय जयपुर में होगा और श्री सोहन राज कोठारी, पीठासीन अधिकारी, प्रौद्योगिक अधिकरण, जयपुर के समक्ष सम्बन्धित उक्त विवाद से सबद्ध कार्यवाही को वापस लेती है और उसे श्री मुरलीधर चौधरी, पीठासीन अधिकारी, प्रौद्योगिक अधिकरण, जयपुर को इस निदेश के साथ स्थानांतरित करता है कि उक्त अधिकरण प्रागे कार्यवाही उक्त प्रक्रम से करेगा, जिस पर वह उसे स्थानांतरित की जाए तथा विधि के अनुसार उसका निपटारा करेगा ।

अनुसूची

11-8-1979 को केन्द्रीय प्रौद्योगिक अधिकरण, राजस्थान, जयपुर के समक्ष न्यायनिर्णयन के लिए सम्बन्धित पड़े मामलों की सूची

क्रमांक	मामला संख्या	आदेश संख्या और तारीख	पक्षकारों के नाम
1	2	3	4
1.	सी० प्राई० टी०—9/1972	एल-25011(1)/72—एल० प्रा०—4, दिनांक 30-9-72	सीमेन्ट माइन्स कर्मचारी संघ बनाम विजयपुर उद्योग लि०, मवाई माधोपुर
2.	सी० प्राई० टी०—12/73	एल-29011/6/73—एल० प्रा०—4, दिनांक 19-2-1973	—यद्योक्त—
3.	सी० प्राई० टी०—4/75	एल-12012/54/72 एल० प्रा०—III दिनांक 28-4-75	श्री एल० के० गोमय बनाम स्टेट बैंक आफ बोम्बे और जयपुर
4.	सी० प्राई० टी०—3/74	एल-12012/3/74—एल० प्रा० 3, दिनांक 6-6-1974	यूनाइटेड कमर्शियल बैंक स्टाफ यूनियन बनाम यूनाइटेड कमर्शियल बैंक, जयपुर
5.	सी० प्राई० टी०—7/75	एल-12012/5/72—एल० प्रा० 3, दिनांक 24-8-1975	राजस्थान बैंक कर्मचारी संघ, जोधपुर बनाम पंजाब नेशनल बैंक, इन्दौर

1	2	3	4
6	सी० आई० टी०—12/75	एल-43011/3/75—सी० 4 (बी), दिनांक 4-10-75	खेत्री तांबा श्रमिक संघ, झुंझुन बनाम खेत्री कॉपर प्रोजेक्ट, खेत्री
7	सी०आई० टी०—15/76	एन-21012/130/75—सी० 3 (ए) दिनांक 25-11-1975	सेन्ट्रल बैंक स्टाफ महासंघ, गाझियाबाद बनाम सेन्ट्रल बैंक आफ इंडिया, जयपुर
8	सी० आई० टी०—9/76	एल-42012/38/74—एल० द्वार० 3, सी० 2बी दिनांक 19-5-76	राजस्थान धनू शक्ति कर्मचारी यूनियन, कोटा बनाम हैवी वाटर प्रोजेक्ट, कोटा
9	सी० आई० टी०—13/76	एल०-43012/10/75 सी० 4 (बी), दिनांक 26-10-76	खेत्री तांबा श्रमिक संघ, बनाम हिन्दुस्तान कॉपर लिमिटेड, खेतरीनगर
10	सी० आई० टी०—1/77	एल-49011/26/77सी० 2 (बी), दिनांक 18-10-77	खान मजदूर यूनियन ब्यावर बनाम श्री सत्य मारायण माथुर, बरजरंग क्वार्टर्स, ब्यावर
11	सी० आई० टी०—1/78	एन-29011/24/77—सी० 3 (बी), दिनांक 20-1-1978	राष्ट्रीय मजदूर संघ रामगंज मण्डी बनाम ईस्ट सुखेत श्रमिक ठेका पेशान उद्योग सहकारी समिति तथा अन्य

[फा० सं० एस०-11020 (16)/77-DIA/DIV(B)]

MINISTRY OF LABOUR

ORDER

New Delhi, the 11th July, 1979

S.O. 2736.—Whereas, the industrial disputes specified in the Schedule hereto annexed are pending before Shri Sohan Raj Kothari, the Presiding Officer, Industrial Tribunal, Jaipur;

And, Whereas, the services of Shri Sohan Raj Kothari are no longer available;

Now Therefore, in exercise of the powers conferred by Section 7A read with sub-section(1) of Section 33B of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal, the Presiding Officer of which shall be Shri Murlidhar Choudhary with Headquarters at Jaipur and withdraws the proceedings in relation to the said disputes pending before the said Shri Sohan Raj Kothari, Presiding Officer, Industrial Tribunal, Jaipur and transfers the same to Shri Murlidhar Choudhary, Presiding Officer, Industrial Tribunal, Jaipur with the direction that the said Tribunal shall proceed with the proceedings from the stage at which they are transferred to it and dispose of the same according to law.

SCHEDULE

List of Cases pending Adjudication before the Central Industrial Tribunal, Rajasthan, Jaipur
on 11-6-1979.

S. No.	Case No.	No. and date of the Order	Name of the parties
1	2	3	4
1.	CIT-9/1972	L-25011(1)/72—LR. IV—Dated 30-9-1972.	Cement Mines Karamchari Sangh The Jaipur Udyog Ltd., Sawaimadhopur.
2.	CIT—12/73	L—29011/6/73—LR.IV—Dated 19-2-1973	-do-
3.	CIT—4/75	L—12012/54/72—LR.III—dt. 28-4-1975	Shri S.K. Gautam V. State Bank of Bikaner and Jaipur.
4.	CIT—3/74	L—12012/3/74—LR.—III—Dt. 6-6-1974	United Commercial Bank Staff Union V. United Commercial Bank, Jaipur.
5.	CIT—7/275	L—12012/5/72—LR.—III—Dt. 24-5-1975	Rajasthan Bank Employees Union, Jodhpur Vs Punjab National Bank, Indore.
6.	CIT—12/75	L—43011/3/75.—D—IV—Dt. 4-10-1975	Ketri Tamba Shramik Sangh, Jhunjhunu V. Khatri Copper Project, Khatri.
7.	CIT—15/76	L—21012/130/75.—D. II(A)—dated—25-11-1975	Central Bank Staff Federation, Gaziabad V. Central Bank of India, Jaipur.
8.	CIT—9/76	L—42012/38/74—LR.III—D. II B,—Dt. 19-5-76	Rajasthan Anu Shakti Karamchari Union, Kota V Heavy Water Project, Kota.
9.	CIT—13/76	L—43012/10/75.—D—IV(B)—Dt. 26-10-1976	Khatri Tamba Shramik Sangh V. Hindustan Copper Ltd., Kotrinagar.
10.	CIT—1/77	L—49011/26/77—D.II(B)—Dt. 18-10-77	Khan Mazdoor Union, Beawar V Shri Staya Narain Mathur, Brajrang Quarters, Beawar.
11.	CIT—1/78	L—29011/24/77—D—III(B)—dt. 20-1-1978	Rashtriya Mazdoor Sangh, Ramganj Mandi V East Sukhet Shramik Theka Peshan Udhog Sahkari Samiti and others.

[F. No. S—11020(16)/77—DIA/DIV. (B)]

MINISTRY OF LABOUR

New Delhi, the 24th July, 1979

S.O. 2737.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Dispute Tribunal in relation to the management of Singareni Collieries Company Limited, Yellandu Collieries, Khammam District, Andhra Pradesh and their workmen which was received by the Central Government on 20th July, 1979.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD.

Industrial Dispute No. 31 of 1978

BETWEEN

Workmen of Singareni Collieries Company Limited,
Yellandu Collieries Khammam District (A. P.).

AND

The Management of Singareni Collieries Company Limited,
Yellandu Collieries, Khammam District (A.P.).

APPEARANCE :

None present on behalf of Workmen as well as the Management.

AWARD

This arises out of a reference made by the Government of India under Section 10(1) (d) of the Industrial Disputes Act, 1947 through Notification dated 3-6-1978 in respect of an industrial dispute that arose between the Management of Singareni Collieries Company Limited, Yellandu Collieries, Khammam District in the State of Andhra Pradesh and their workman and the issues that are referred for adjudication are the following :—

"Whether the action of the management of Singareni Collieries Co., Ltd., in retiring Shri Gajula Ramiah, Shot Firer, No. 21 Incline, Yellandu Collieries with effect from 2-7-77 is justified. If not, to what relief is the concerned workman entitled?"

2. After the receipt of the reference which was registered as Industrial Dispute No. 31 of 1978, notices were issued to both the parties on 23-9-78 which were served but neither of the parties appeared on 19-10-1978 to which date the matter stood posted for appearance of parties and for filing their statements. The matter was, therefore, adjourned to 2-11-1978 on which date also neither of the parties appeared before the Tribunal either in person or through their representatives not filed their statements. A fresh notice was ordered to be issued to the parties which was also served but again neither of the parties appeared on the subsequent dates to which the matter stood posted. For the third time notices dated 20-11-1978 were again issued which were also served on the parties and as neither of them appeared, a final notice dated 20-1-1979 was again issued and the parties did not however turn up nor send their statements in spite of service of the final notice. The matter underwent number of adjournments from the date on which the final notice was issued in spite of which neither of the parties chose to appear before the Tribunal nor filed their statements.

3. This attitude on the part of the parties clearly exhibits their indifference or at any rate that they are not interested in the matter. When the parties themselves are so indifferent and disinterested in the matter, there is no point in keeping the matter pending any longer. Since no award on merits can be passed in the absence of any evidence placed before the Tribunal by the parties and as I am satisfied that the parties are not at all interested in the matter, I am constrained to hold that there is absolutely no justification for keeping the matter pending any longer.

4. Under these circumstances the Tribunal is left with no alternative but to terminate the reference so that the parties, if they are really interested in the matter, may once take steps for having the dispute referred, if that can under law be done.

5. The reference, is, therefore, terminated.

Dictated to the Stenographer, transcribed by him and corrected by me and given under my hand and the seal of this Tribunal, this the 4th day of July, 1979.

G. SADASIVA REDDY, Presiding Officer
[No. L-21012(2)/77-D. IV(B)]

New Delhi, the 27th July, 1979

S.O. 2738.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta in the industrial dispute between the employer in relation to the management of Bankola Area of Eastern Coalfields Limited, P.O. Ukhra, District Burdwan and their workmen which was received by the Central Government on 20th July, 1979.

IN THE MATTER OF ARBITRATION IN THE INDUSTRIAL DISPUTE BETWEEN THE MANAGEMENT OF BANKOLA AREA OF EASTERN COALFIELDS LIMITED AND THEIR WORKMEN REPRESENTED BY COLLIERY MAZDOOR UNION (INTUC) RR C. S. BANERJEE GROUP WITH REGARDS TO PAYMENT OF WAGES OF SHRI JAGDIP SINGH, FAN KHALASI, FOR THE PERIOD OF IDLENESS FROM 4-9-1978 TO 19-2-1979.

APPEARANCES :

Representing employers—Shri S. K. Acharya, ACPO
Shri P. N. Pandey, Sr. P.O.

Representing workmen—Shri C. S. Banerjee, Jt. General Secretary, Colliery Mazdoor Union.

Shri Jagdip Singh, the workman concerned.

STATE : West Bengal.

INDUSTRY : Coal Mining.

No. 1/2(2)-79-B. 1

Dated the 12th July, 1979

New Delhi, the 12th July, 1979

AWARD

The General Manager Bankola Area of Eastern Coalfields Ltd., and Colliery Mazdoor Union (INTUC) represented by Shri C. S. Banerjee, Joint General Secretary, referred the following dispute to my arbitration through a joint agreement dated 19-2-1979 under Section 10A of the Industrial Disputes Act, 1947, which was published in the Gazette of India Part II Section 3(ii) dated 24-3-1979 (S. O. 1071 dated 17-3-79) [Ministry of Labour Reference No. L-19013(6)/79-D. IV (B)].

"Whether the claim of the wages of Shri Jagdip Singh, Fan Khalasi for the period of idleness from 4-9-78 to 19-2-79 justified? If so, to what relief is the workman entitled?"

The parties were heard on various dates. The time limit for giving the award was also extended by the parties mutually in writing. On behalf of the workmen Shri Jagdip Singh, the workman concerned, was examined. On behalf of the management, evidence of Shri S. C. Khera, Sub Area Manager, was taken. Both the parties presented written statements as well as arguments. The facts of the case are as under :—

Shri Jagdip Singh was serving as Fan Khalasi at Tilaboni Colliery for a long period and he was transferred to Moira

Colliery in the same capacity on 4-9-78. He was ultimately taken back to duty at Kumardih Colliery w.e.f. 19-2-1979. The contention of the workman was that the transfer was mala fide and hence he is entitled for full wages from 4-9-78 to 19-2-79. From the evidence of Shri S. C. Khera, it is revealed that Shri Jagdip Singh was an office bearer of INTUC trade union controlled by Shri C. S. Banerjee and had sponsored many grievances of workmen. He was transferred at the instance of the General Manager, Bankola Area to Moira Colliery, even though there was no shortage of Fan Khalasi or vacancies at Moira Colliery but for readjustment of manpower. Shri Khera also stated that no other person was transferred from Tilaboni to Moira Colliery during that period. From the evidence of Shri Jagdip Singh, the workman concerned it is clear that he was a Secretary of the Colliery Mazdoor Union, Tilaboni Branch, since 1969 and he had difference of opinion with the management in respect of agitation of explosive carriers before Sept. 78 and that he had quarrel with Shri Harijinder Singh, Manager and hence he was transferred and thus it was an act of victimisation. He did not join at Moira as there was no vacancy of Fan Khalasi and agitated the matter as a dispute.

It is also clear from the evidence, that after Shri Jagdip Singh was transferred, his case was taken up originally by the Eastern Coalfields Workers Union on 6-8-78 but the workman himself came forward before the Assistant Labour Commissioner (Central), Ranigunj, and stated that he does not want the case to be sponsored by the said union as he belonged to Colliery Mazdoor Union, with the result that no action was taken on the failure of conciliation report by the Government nor the Eastern Coalfields Workers Union made any further representation. I feel that the Eastern Coalfields Workers Union wanted to win over Shri Jagdip Singh and have a base at Tilaboni Colliery and hence sponsored the case of Shri Singh, who was in distress. However, Shri Jagdip Singh's case was again finally sponsored by him original union namely Colliery Mazdoor Union and the dispute was taken up by Asstt. Labour Commissioner (Central), Ranigunj, which ultimately ended in reinstatement of Shri Singh at Kumardih Colliery but the question of wages for the period of idleness from 4-9-78 to 19-2-79 was agreed to be referred to my arbitration under Section 10A of the Industrial Disputes Act, 1947.

The question to be considered is whether there was any ground for claim of wages for the period, when Shri Jagdip Singh did not join on transfer from Tilaboni Colliery to Moira Colliery. The management has not been able to prove that there were exigencies of service and absolute necessity or vacancy of Fan Khalasi at Moira Colliery, which promoted them to transfer Shri Jagdip Singh. Their contention that they were planning some readjustment of manpower seems to be an excuse for effecting the transfer. It is quite evident that Shri Jagdip Singh was the Secretary/Office Bearer of Colliery Mazdoor Union and took active part in the agitation of the explosive carriers and hence management might have thought of transferring him to put down the agitation. It is, also, a fact that the activities of Colliery Mazdoor Union suffered very much after the transfer of Shri Jagdip Singh and Eastern Coalfields Workers Union tried to make inroads into the said colliery. The moment, Shri Jagdip Singh refused to have anything with the Eastern Coalfields Workers Union and fully threw his lot with the Colliery Mazdoor Union, controlled by Shri C. S. Banerjee the Eastern Coalfields Workers Union practically disappeared from the field. It is, also quite good on the part of the management to have concluded the settlement with Colliery Mazdoor Union to take back Shri Jagdip Singh on duty at Kumardih Colliery, more so, as he has acquired qualifications of a Mining Sirdar.

In view of the above, I feel that the action of the management in effecting the transfer of Shri Singh from Tilaboni to Moira Colliery on 4-9-78 was not justified. It was perhaps to teach a lesson to the workman concerned, instead of resorting to any disciplinary action. There was, also no post of Fan Khalasi at Moira Colliery at the time Shri Jagdip Singh was transferred and it is a matter of conjecture as to how he would have been utilised by the Manager of that Colliery.

Under the circumstances, I feel that Shri Jagdip Singh is entitled to some compensation for the period of idleness. As he has not performed any duty during the period, ends of justice will be met with if he is paid 50 per cent of wages (Basic wage + D.A.) for the period.

I, therefore, direct the management to pay 50 per cent of wages (Basic Wage + D.A.) the workman was entitled to normally during the month of September, 1978, for the period from 4-9-78 to 19-2-1979. The management should implement this award within a month from the date of this award.

[No. L-19013(6)/79-D. IV(B)]

D. V. RAMACHANDRAN, Regional Labour Commissioner (Central) & Arbitrator under Section 10A of I. D. Act, 47

S.O. 2739.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta in the Industrial dispute between the employer in relation to the management of Kalipahari Colliery of Ghusick Sub-Area of Eastern Coalfields Limited, P.O. Kalipahari District Burdwan and their workman which was received by the Central Government on 23rd July, 1979.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

Reference No. 17 of 1978

PARTIES :

Employers in relation to the management of Kalipahari Colliery of Ghusick Sub-Area of Eastern Coalfields Limited,

AND

Their Workmen

APPEARANCES :

On behalf of Employers—Sri A. Choudhury, Counsel, with Sri M. N. Kar, Advocate.

On behalf of Workmen—Sri S. Roy, Advocate.

STATE : West Bengal

INDUSTRY : Coal Mines

AWARD

The Government of India, Ministry of Labour, by their Order No. L-19012(40)-77-D-IV(B), dated 27th January, 1978 referred an industrial dispute existing between the employers in relation to the management of Kalipahari Colliery of Ghusick Sub-Area of Eastern Coalfields Limited and their workmen, to this Tribunal, for adjudication. The reference reads :

"Whether the action of the management of Kalipahari Colliery under Ghusick Sub-Area of Eastern Coalfields Limited in superannuating Shri Sudama Nunia, a permanent Loader (Machine Coal) with effect from 1-1-1977 is justified? If not, to what relief is the concerned workman entitled?"

2. The concerned workman was an employee of Kalipahari colliery under Ghusick Muslia Collieries Ltd., prior to nationalisation of coal mines. Thereafter he became an employee of Eastern Coalfields Limited.

3. It has been contended in the written statement filed by the Union that during the time the colliery was in private hands, there was no age of superannuation and employees remained in employment so long as they were physically fit and mentally alert. It has been further contended that even after nationalisation no provision was made regarding the age of superannuation.

4. It appears that the Manager of Kalipahari Colliery intimated to the concerned workman, an underground loader, by his letter dated September 24, 1976 that he had attained the age of 60 years and his service would stand terminated on the expiry of 30 days from the said date. On certain representations made by the concerned workman, to which I shall presently advert, the management by a letter dated 9th November, 1976 extended the service of the concerned workman upto 31st December, 1976 and requested the workman to submit a medical fitness certificate from the colliery doctor. The workman submitted the doctor's certificate dated 13th November, 1976. The certificate was as follows :

"I have examined Shri Sudama Nunia on 13-11-76. He is of sound health and is fit for his duties as loader. Now his age is 52 years."

The workman by a letter dated 30-11-76 requested the management to withdraw the notice of termination in view of the aforesaid medical certificate but in vain. His grievance is that in spite of the doctor's certificate the company did not withdraw the notice of termination and his service was terminated with effect from 1st January, 1977.

5. It has been stated by the Union in its written statement that in the cases of some other workmen the management served notices of termination only when they attained the age of 62 years.

6. The union has claimed that the forced retirement of the concerned workman is a case of retrenchment. The concerned workman has not been offered retrenchment compensation under the provisions of Industrial Disputes Act. Moreover, the management has not acted according to the principles laid down in Section 25G of the said Act. The Union has also contended that as the employers have been employing more than 1000 workmen during the relevant period, there was violation of Section 25N of the Industrial Disputes Act.

7. The management by their written statement stated that the concerned workman retired from the service of the company on attaining the superannuation age of 60 years, fixed by the company for superannuation of workmen of all the coal mines. According to the records maintained by the Eastern Coalfields Limited as also the Coal Mines Provident Fund Commissioner, Asansol, he attained the age of 60 years on September 24, 1976. By a letter of the said date he was given one month's notice to retire from service of the company with effect from October 24, 1976. The workman made a representation by a letter dated November, 6, 1976 requesting the management to extend his date of retirement upto the end of December, 1976 as according to him his month of birth was December, 1916. The management considered his representation sympathetically and allowed him to continue in service on humanitarian grounds till December, 1976 subject to production of a fitness certificate from the colliery doctor which was done. Accordingly, the concerned workman retired from service of the company with effect from the afternoon of 31st December, 1976. He retired without any objection and submitted Form I under Payment of Gratuity Act. Payment was offered to him on account of gratuity but he refused to accept the same. All other dues have been duly paid to and accepted by him.

8. The management pleaded ignorance as to the existence of any rule with regard to superannuation of workmen governing the employees of the colliery prior to nationalisation. They claimed that after nationalisation, the age of superannuation of workmen has been fixed at 60 years and the company is treating the age of 60 as the age of superannuation in respect of the workmen of all the mines.

9. The management further pleaded that the cases of workmen Ganori Dausad, Sheobachan Bhar and Nagina Nunia have no bearing on the case under reference. It was denied that those persons were superannuated on attaining the age of 62 years, as claimed by the union. In paragraph 8 of the written statement the management pleaded that the company with a view to putting an end to the practice on the part of the workmen of challenging their recorded age, after notice of superannuation had been served on them, issued a circular letter to all concerned including the Union as early as January 1976 by which the management advised the workmen to raise any such dispute during the period of their service and not after receiving the notice of superannuation. It was also made clear in the said circular that all doubtful cases were to be referred to the Age and Fitness Determination Committee and the Committee should determine those cases within next three months and there should be no case for challenging the age after 31st March, 1976. There was no representation by the concerned workman in response to the said circular with regard to his date of birth record by the company.

10. As regards the medical certificate, the management pleaded that the doctor acted beyond his jurisdiction in certifying the age of the concerned workman.

11. In conclusion, the management submitted that the age of superannuation having been 60 under the rules of the company and the workman having retired on attaining the age of superannuation, he could have no legitimate grievance and the termination of his service in those circumstances did not amount to retrenchment.

12. On consideration of the pleadings the following issues arise in this reference :

1. What was the age of superannuation, if any, in Kalipahari colliery when the concerned workman was superannuated by the management ?
2. Had the concerned workman attained the age of superannuation at the time when he was made to retire ?
3. Was there any discrimination against the concerned workman vis-a-vis other workman by reason of which his retirement was invalid ?
4. Was the retirement of the concerned workman a case of retrenchment having regard to the provisions of the Industrial Disputes Act, 1947 ?

13. No evidence has been led before the Tribunal on the question that there was any age of superannuation in respect of workmen of Kalipahari colliery before nationalisation of coal mines. The evidence of the concerned workman is that there was none. The management has pleaded ignorance of any rule as to the age of superannuation prior to nationalisation. In these circumstances it has to be conceded that there was no age of superannuation governing the conditions of service of the concerned workman, while he was in the employment of his erstwhile employers.

14. I may now refer to Section 14(1) of the Coal Mines (Nationalisation) Act, 1973 which provides as follows :

"Every person who is a workman within the meaning of the Industrial Disputes Act, 1947, and has been, immediately before the appointed day, in the employment of a coal mine shall become, on and from the appointed day, an employee of the Central Government or, as the case may be, of the Government company in which the right, title and interest of such mine have vested under this Act, and shall hold office or service in the coal mine with the same rights to pension, gratuity and other matters as would have been admissible to him if the rights in relation to such coal mine had not been transferred to, and vested in, the Central Government or the Government company, as the case may be, and continue to do so unless and until his employment in such coal mine is duly terminated or until his remuneration, terms and conditions of employment are duly altered by the Central Government or the Government Company."

15. It appears from the office order dated April 24, 1974, Ext. M-8 issued under the signature of the Chief of Administration, Coal Mines Authority Limited, the predecessor-in-title of Eastern Coalfields Limited, that the age of retirement in respect of all workmen in the employment of Coal Mines Authority Limited who were in the Wage Board scale of pay was raised from 58 years to 60 years. Having regard to the circular it appears that the Coal Mines Authority Limited, a Government company, duly fixed the age of superannuation of all workmen in their employment in the collieries to be 60 years. No valid reason has been shown as to why effect should not be given to this circular and the age of superannuation of the concerned workman should not be held to be 60.

16. The concerned workman in his letter dated November 6, 1976 addressed to the Manager, Kalipahari Colliery, Ext. M-4 stated, "I was served with retirement notice by you and was superannuated from 25-10-76. But I am to state that at the time of appointment the year of birth was written as 1916, but by mistake it has been entered in your register as August 1916 whereas the actual month of birth is December, 1916".

Therefore I request you to kindly allow me to resume my duty till completion of 60 years of age."

It is clear from this letter that the concerned workman himself understood his age of superannuation to be 60. It will appear from the note-sheet of the Manager, Kalipahari colliery dated November 6, 1976, Ext. M-9, that the management acted on the revision of age made by the concerned workman in his said letter and extended his tenure of service upto the end of December, 1976. In his application for gratuity, Ext. M-6 the concerned workman stated the date of his retirement to be 1st January, 1977 and the cause of termination of his service to be superannuation. In the union's letter to the Manager, Kalipahari Colliery dated 11th April,

1978, a letter which is concerned with the retirement of one Balraj Harijan, Ext. W-14, it is said that the age of the workman was far below 60 years and the notice of superannuation was therefore wrongly given to him. In another letter dated 4th November, 1976, from the Secretary to the Manager, Kalipahari Colliery, Ext. W-6, the Secretary stated that the concerned workman had not attained 60 years and requested to refer his case to the age determination committee for determination of his actual age. It is clear from these letters that the union also understood the age of retirement to be 60. Having regard to the office order dated April 24, 1974 and the documents to which reference has been made, I am of opinion that the age of superannuation for the workmen of Kalipahari colliery was duly determined to be 60 and the workmen as also their Union were aware of the said age of superannuation.

17. The next question which has to be answered is what was the age of the concerned workman on 1st January, 1977 when he was retired by the management. It appears from the letter of the Regional Commissioner, Coal Mines Provident Fund dated August 7, 1976 that the date of birth was recorded as 15th August, 1976, Ext. M-2. It seems to be the common case that prior to nationalisation, colliery records were not properly maintained. That is the evidence of Sri S. N. P. Roy, the Manager of Kalipahari Colliery from June, 1974 to August, 1978 as also of Sri Sunil Sen, the Organising Secretary of the Union. One other document relevant to the question, is the letter dated November 6, 1976, Ext. M-4, by which the concerned workman stated that the actual month of his birth was December, 1916. Moreover, there is the medical certificate given to the concerned workman by the colliery doctor, Ext. W-8. The certificate is in the following terms :

"I have examined Sri Sudama Nunia on 13-11-76. He is of sound health and is fit for his duties as Loader. Now his age is 52 years."

The concerned workman stated in his evidence that when he was served with the notice of retirement, he met the Manager and was advised by him to make an application so that he could consider the withdrawal of the notice of retirement. Then he went to one Sanatkari, the Hazira Babu. Hazira Babu wrote the letter in which it was stated that the month and year of his birth were December, 1916. He disclaimed all knowledge of the contents of that letter.

18. The case sought to be made by the concerned workman that he was ignorant of the contents of the letter dated 6th November, 1976 by which he stated that he was born in December, 1916 has to be rejected. According to his evidence Sri Sanatkari, The Hazira Babu wrote the letter at his request. It may be presumed that what the Hazira Babu wrote he wrote under his instructions. If he had not given any instructions and the Hazira Babu stated the month and year of his birth on his own, he could have produced the Hazira Babu before the Tribunal to depose to that effect. There is evidence that the Hazira Babu is still in the employment of the colliery. In the absence of any evidence on the part of the Hazira Babu, the statement made in Ext. M-3 must be accepted and the month and year of birth of the concerned workman has to be taken as December 1916. As regards the doctor's certificate dated 13th November, 1976, Ext. W-8, it has to be borne in mind that it was no part of the doctor's job to certify the age of the concerned workman. In any event, the doctor has not appeared to prove the statement he made with regard to the workman's age. The medical certificate has been made a formal exhibit by consent but the statements made therein have not been established by evidence. It is also not a little strange that the concerned workman, in his evidence before the Tribunal, did not state what his actual age was. Having regard to the documentary and oral evidence, I am of opinion that the concerned workman had attained the age of 60 on or before 1st of January, 1977 when he was retired by the management. Issue No. 2 is therefore answered in the affirmative.

19. The learned advocate appearing on behalf of the workman argued that the circular dated 24th April, 1974 by which the age of superannuation was raised from 58 to 60, Ext. M-8, was not binding on the workman having regard to the provisions contained in Section 9A of the Industrial Disputes Act. The section provides that no employer, who

proposes to effect any change in the condition of service applicable to any workman in respect of any matter specified in the Fourth Schedule shall effect such change without giving to the workman likely to be affected by such change, a notice in the prescribed manner of the nature of the change proposed to be effected or within 21 days of giving such notice. Superannuation is not one of the matters specified in the Fourth Schedule and the said Schedule has therefore no application in the facts and circumstances of this case. As section 9A has no application, the case on which the learned advocate appearing on behalf of the concerned workman relied, namely, those reported in 1975 ILJ II p. 319 and 1972 II ILJ 259, have no relevance.

20. It has also been argued that assuming the age of superannuation to have been 60 and the concerned workman had attained the age of superannuation at the time of his retirement, the retirement is invalid on the ground that there are workmen in the colliery who continued to be in employment long after they had attained the age of superannuation. Sri Sunil Sen, the Organising Secretary of the Union, stated in his evidence that there are some workmen who are working after having completed 60 years of age as for example, Baliram Harijan. Sri S. N. P. Roy, the Manager of the Colliery from June, 1974 to August, 1978 stated in his evidence that in three cases, those of Nagina Nunia, Underground trammer, Shevachan Bhar, Underground loader and Generi Dusad, Dresser, notices of retirement were issued they had crossed 60 which is the age of retirement. This he said was due to an oversight. Prior to the taking over of the colliery, records were not properly maintained. Had the records been properly maintained, the anomaly would not have occurred. It appears from three letters all dated 22nd March, 1976, Exts. W-2, W-3 and W-4 that Nagina Nunia, Shobachan Bhar and Generi Dusad were retired at the age of 62 years. These irregularities, and their number is very small, have been satisfactorily explained by Sri S. N. P. Roy, the Manager. If owing to the absence of proper records one or two workman have continued in employment for a year or two after they had attained the age of superannuation, that by itself cannot be a ground for general sanction for continuance in service after a workman has attained the age of superannuation. It is not a case of discrimination at all. These are accidental omissions in implementing the age of superannuation in specific cases and in special circumstances over which the management had no control. Issue No. 3 is therefore answered in the negative.

21. As regards issue No. 4, as I have already held that the concerned workman retired on his attaining the age of superannuation, his termination of service cannot be treated as retrenchment within the meaning of Section 2(o) of the Industrial Disputes Act, 1947 and Section 25F can therefore have no application. The issue is therefore answered in the negative.

22. In the view I have taken, I answer the question raised in the reference in favour of the management and hold that the action of the management of Kalipahari Colliery under Ghusick Sub-area of Eastern Coalfields Limited in superannuating Sri Sudama Nunia, a permanent loader (machine coal) with effect from 1-1-1977 is justified. He is, therefore, not entitled to any relief.

Dated, Calcutta, the 17th July, 1979.

S. K. MUKHERJEA, Presiding Officer.

[No. I.-19012(40)/77-D. IV (B)]

New Delhi, the 28th July, 1979

S.O. 2740.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta in the industrial dispute between the employer in relation to the management of New Satgram Unit of Satgram (R) of Colliery of M/s. Eastern Coalfields Limited, P. O. Raniganj, District Burdwan and their workmen which was received by the Central Government on 20th July, 1979.

IN THE MATTER OF ARBITRATION IN THE INDUSTRIAL DISPUTE BETWEEN THE MANAGEMENT OF SATGRAM AREA OF EASTERN COALFIELDS LTD. AND THEIR WORKMEN REPRESENTED BY COLLIERY MAZDOOR SABHA (AITUC) AND KOYLA MAZDOOR CONGRESS (HMS) WITH REGARD TO CARRYING OF EXPLOSIVES BY THE WORKMEN OTHER THAN EXPLOSIVES CARRIERS WITHOUT PAYMENT OF EXTRA REMUNERATION

APPEARANCES :

Representing employers : Shri N. Das, Advocate Shri S. K. Sanyal, Sr. P. O.

Representing workmen : Shri Sunil Sen Colliery Mazdoor Sabha (AITUC), Shri Keshav Singh, Koyla Mazdoor Congress (HMS).

STATE : West Bengal.

INDUSTRY : Coal Mining

AWARD

The management of Satgram Area of Eastern Coalfields Ltd. as employer of New Satgram Unit of Satgram (R) Colliery and the workmen represented by Colliery Mazdoor Sabha (AITUC) and Koyla Mazdoor Congress (HMS) referred the following dispute to my arbitration through a joint agreement under Section 10A of the Industrial Disputes Act, 1947, signed on 24-10-78. The said agreement was published in the Gazette of India Part II Section 3(ii) vide the Ministry of Labour Order No. L-19013(8)/78-D. IV (B) dated 30-12-78 :—

"Whether the management of New Satgram Unit of Satgram (R) Colliery of M/s. Eastern Coalfields Ltd., is justified in requiring the undermentioned 21 underground mazdoor and 2 explosive carriers all of Category II, regularised as Drillers in Category IV in view of their joint application to the General Manager, Satgram, with effect from 11-11-76 to carry explosives to their places of work? If not, to what relief are they entitled?"

1. Hari Thakur
2. Dhaneswar Ahir
3. Rangila Mahato
4. Jagaj Ahir
5. Ramdeo Hazra
6. Asarfi Hazra
7. Jagu Bhar
8. Shew Nath Mahato
9. Birgo Ahir
10. Bholu Shaw
11. Suraj Mahato
12. Dharat Singh
13. Bhagirath Routh
14. Fitan Singh
15. Chandeswar Choudhury
16. Gopal Mahato
17. Lalan Ahir
18. Laldeo Hazra
19. Bhikhari Hazra
20. Julfi Dubey
21. Nasir Mia

22. Manohar Ahir

23. Desrath Yadav.

(ii) Whether the management of New Satgram Unit of Satgram (R) Colliery, P.O. Devchandnagar (Burdwan) of M/s. E. C. Ltd., is justified in requiring the under mentioned 8 Drillers to carry explosives to their place of work without any extra remuneration of higher category? If not, to what relief they are entitled to?

1. Rajak Mja
2. Lakhan Shaw
3. Madhoo Kohar
4. Thakur Dubey
5. Md. Hadish
6. Kasim Mja
7. Ganga Rout
8. Ram Tapeswar Pande.

It may be seen that the dispute is in two parts involving 23 workmen who were originally Category II, but were regularised as Drillers in Category IV w.e.f. 11-11-76 and 8 workmen who were already Drillers and both the sets of workmen have raised dispute questioning the orders of the management to carry explosives to their places of work. On behalf of the management Shri Nikhil Das, Advocate, and Shri S. K. Sanyal, Sr. P.O., represented. Shri Sunil Sen, Organising Secretary, Colliery Mazdoor Sabha (AITUC) and Shri Keshav Singh, Chief Organising Secretary, Koyla Mazdoor Congress (HMS) represented the workmen. The parties were heard on various dates and the proceedings were concluded on 6-7-79. On behalf of the management S/Shri K. Mazumdar, and M. M. G. Narayan were examined. On behalf of the workmen S/Shri Rajak Mja and Gago Bhar were examined. Arguments of both sides were heard. On behalf of the management, a letter purporting to have been given to 23 workmen was exhibited (Ex. A) and Explosive Register of New Satgram Colliery of the erstwhile management of M/s. Sethia Mining and Mfg. Corp., Ltd., were produced. The Union desired production of orders of regularisation of 24 workmen but the management failed to produce the same stating that the same was missing.

The main argument of the workmen was that the Drillers' job does not include carrying of explosives. Even though prior to their promotion/regularisation they may have been doing some job such as carrying explosives, but after regularisation in proper category they cannot be entrusted with any other job without extra remuneration and if was further stated that prior to nationalisation none was regularised/designated as Drillers and the erstwhile management took whatever jobs they wanted from the workmen. The management's contention was that the 21 underground mazdoors and 2 explosive carriers (total 23) were only in Category II till 11-11-76 and they were carrying explosives as well as doing drilling jobs and the management took into account the type of service they were doing and regularised them as Category IV Drillers and formed drilling teams and they were entrusted with work of carrying explosives and the same work is required to be carried on by them even today. As regards 8 Drillers, after regularisation of 23 workmen as Drillers, the eight old Drillers also were asked to fall in line with others to carry explosives. Both the parties presented their written statements as well detailed arguments.

Let me take up the case of 23 Drillers first. The main basis on which the management relies for asking the 23 Drillers to carry explosives is the written application given by the said workmen, in which they have stated that they should be regularised in Category IV and they would continue to carry to 10 K.G. of explosives over and above normal work of drilling, stemming and guarding (Ex. A). This application refers to an earlier application dated 6-11-76 which the management not produce. Even the application (Ex. A) seems to have been given some time after 10-12-76 and no action of the management has been indicated on that excepting initial of some officer with remark 'file'. Thus I do not find that there was no regular offer or acceptance of offer resulting in conclusion of a valid contract for

doing certain job. The connection of the management is that the very fact that they regularised the workman as Category IV Drillers would be enough to show that the workmen's offer has been duly accepted. But they could not produce order regularising the workmen as 'Drillers', though such order had been issued. As it is well known, in order to get certain privileges or certain advantages both the workmen and the management may offer inducement or considerations to each other but unless such contractual terms are enshrined in the form of agreement, there is likelihood of parties concerned to deny their commitments. This is the reason why it is necessary for the parties to enter into bilateral or tripartite settlements under the Industrial Disputes Act, 1947 to maintain industrial peace and to amicably resolve industrial disputes. In this particular instance, the witnesses on behalf of the workmen have denied totally that they have given no commitment to the management to carry explosives, but they demanded that they be given Category IV as they were working as Drillers. A mere representation of workmen, majority of whom only affix thumb prints, would not be valid in these days, when there are registered trade unions representing them, when there are forums where valid minutes of agreement or settlement could be drawn up sanctifying conditions of service. The very fact that the Drillers have denied responsibility for carrying explosives under the banner of two trade unions shows that there was no proper agreement between the workmen concerned and the management. A Driller is defined and described in the Report of the Central Wage Board for Coal Mining Industry (Vol. II-Page 46) as "a manual worker employed in operating a power-driven drill to make holes in coal and other strata for blasting and other purposes. He carries trailing cables, drilling rods, bits etc." If we go back to the 'drillers' as defined in Mazumdar Award All India Industrial Tribunal (Colliery Disputes) Vol. II page 79-item 166-he is a manual worker employed in operating a power driven drill to make holes in coal and other strata for blasting and other purposes (See No. 55), and there is a separate Category of "Drill Mazdoor" at page 76 Vol. II-item 55- who is described as a "workmen who assists the operator of the electric coal drill in the general work of drilling shot holes at the coal faces. He carries the trailing cables, drilling rods and bits etc. (see No. 166). It is clear that the subsequent Central Wage Board presided over by Shri Salim Merchant, combined those two jobs of Driller and Driller Mazdoor into one Category IV and defined as stated above. The Explosive Carrier (shot firing) is defined in both Mazumdar Award as well as Central Wage Board as, "unskilled mazdoor who carries explosives in a locked canister and accompanies a shotfirer and generally assists a firer in his duties.

Thus it is clear from the above that the explosive carrying is connected with work of shot firer and not with the Driller. It might be that prior to nationalisation, the erstwhile managements were getting all types of combined jobs done by the workmen without proper remuneration. It is difficult to associate the carrying of explosive with a drilling team unless the shotfirers also formed a part of the said team. According to Regulation No. 45 of Coal Mines Regulations, 1957, the shot-firers are responsible for transport and use of explosives and for stemming the charging. Hence, definitely, the Drillers are not required under the Coal Mines Regulations nor under the Mazumdar Award or Central Wage Board for Coal Mining Industry or subsequent agreements to carry explosives which require greater responsibilities in terms of safety. The Advocates for the management tried to stress that the word 'etc.' in the job of Drillers as defined in the Wage Board and argued that it can be taken to mean carrying explosives. It is clear from the discussions above that no such interpretation can be put on the job descriptions of Drillers. Even if the Drillers had given some promises to the management that they would carry explosives. I do not think that it is part of their job

and the management can get their services for the additional job without any further remuneration or consideration. It is feudal thinking, that additional jobs can be taken from workmen, when their jobs are clearly defined under law and to say that there were some promises from the workman in order to get higher categories. Had the workmen not been performing actual job of Drillers, I do not think that the management would have classified/categorised them as Drillers and given the higher grade. As the workmen had been suffering, they might have made some promises to carry out some extra duties if they are given proper categories just like an unemployed person may undertake to do domestic work of an officer if he is given employment in an office. The extra work which the workmen had to perform, required some compensation as the work of explosive carrying involved safety and the same could have been enshrined in an agreement, which could have made some provision for additional monetary compensation. It is not proper for the management, that too a public sector management, to continue old feudal practices of the erstwhile private management. Hence, I hold that the action of the management in requiring 23 Drillers to carry explosives to their places of work as not justified. The management should make alternative arrangement to get the explosive carried or enter into some other arrangement including settlement with the workmen and their unions concerned for the additional work. As I hold the action of the management as unjustified, I direct the management to stop requiring the 23 Drillers concerned to carry explosives, to their places of work

Coming to the second term of reference of 8 Drillers, on the same reasoning I hold the management's action in requiring them to carry explosives to their places of work as not justified.

In view of the above, I hereby answer both the terms of reference in favour of the workmen that the management should stop asking the 31 Drillers to carry explosives to their places of work. It is left to the management to make alternative arrangements for carrying of explosives. I do not propose to grant any other relief to the workmen for having carried explosives, as unfortunately there seems to have been existence of these malpractices during the time of erstwhile management and the workers did not take up matter in time with their management nor raised any dispute. Even after 1976 there was no reason as to why the workmen did not come up with any dispute till two years. Hence, the workmen should be satisfied with the discontinuance of the practice, from now.

In view of the above, I, once again, direct the management to stop/discontinue the practice of requiring workmen concerned (Drillers of Category IV) to carry explosives to their places of work with immediate effect and if they continue the same they should adequately compensate the workmen concerned by granting them (whole team) additional wages due to an explosive carrier provided safety is taken care of or they should appoint separate explosive carriers for the said work or make alternative arrangements.

(D. V. RAMACHANDRAN, Regional Labour Commissioner (Central) & Arbitrator under Section 10A of I.D. Act, 1947

Dated, Asansol, the 13th July, 1979

No. 1/5/78-B.3/E. 1

[No. L-19013(8)/78-D.IV(B)]

SHASHI BHUSHAN, Desk Officer.

नई दिल्ली, 20 जुलाई, 1979

(1)

(2)

कां० 2741.—केन्द्रीय सरकार, डॉक अधिनियम, 1934 (1934 का 19) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना कां० 1994 तारीख 22 मई, 1976 को अधिकांश करने हुए निम्न सारणी के स्तम्भ 1 में विनिर्दिष्ट अधिकारियों को उक्त अधिनियम के प्रयोजनार्थ, उक्त सारणी के स्तम्भ 2 में तत्सम्बन्धी प्रविष्टियों में विनिर्दिष्ट पदों की स्थायी मांसांशों के लिए निरीक्षक नियुक्त करती है।

सारणी

निरीक्षक	पद
ज्येष्ठ निरीक्षक, डॉक सुरक्षा, मुम्बई निरीक्षक, डॉक सुरक्षा, मुम्बई अपर निरीक्षक, डॉक सुरक्षा, मुम्बई कनिष्ठ निरीक्षक, डॉक सुरक्षा, मुम्बई	मुम्बई
ज्येष्ठ निरीक्षक, डॉक सुरक्षा, मुम्बई निरीक्षक, डॉक सुरक्षा, काण्डला	काण्डला
ज्येष्ठ निरीक्षक, डॉक सुरक्षा, मुम्बई निरीक्षक, डॉक सुरक्षा, मोरमुगाओ	मोरमुगाओ
ज्येष्ठ निरीक्षक, डॉक सुरक्षा, कलकत्ता निरीक्षक, डॉक सुरक्षा, कलकत्ता अपर निरीक्षक, डॉक सुरक्षा, कलकत्ता कनिष्ठ निरीक्षक, डॉक सुरक्षा, कलकत्ता	कलकत्ता
ज्येष्ठ निरीक्षक, डॉक सुरक्षा, कलकत्ता निरीक्षक, डॉक सुरक्षा, पारादीप	पारादीप
ज्येष्ठ निरीक्षक, डॉक सुरक्षा, मद्रास निरीक्षक, डॉक सुरक्षा, मद्रास कनिष्ठ निरीक्षक, डॉक सुरक्षा, मद्रास	मद्रास, नवमंगलोर, नवसूती- कोरिन
ज्येष्ठ निरीक्षक, डॉक सुरक्षा, मद्रास निरीक्षक, डॉक सुरक्षा, कोचीन अपर निरीक्षक, डॉक सुरक्षा, कोचीन कनिष्ठ निरीक्षक, डॉक सुरक्षा, कोचीन	कोचीन
ज्येष्ठ निरीक्षक, डॉक सुरक्षा, मद्रास निरीक्षक, डॉक सुरक्षा, विशाखापत्तनम	विशाखापत्तनम
कारखाना मलाह सेवा और श्रम स्थान मुम्बई के महानिदेशालय में महानिदेशक, उपमहानिदेशक, निदेशक (डॉक सुरक्षा) उपनिदेशक (इंजीनियरी) महायक निदेशक (इंजीनियरी)	मुम्बई, कलकत्ता, मद्रास, कोचीन काण्डला, मोरमुगाओ, विशाखापत्तनम, पारादीप, नवमंगलोर, नवसूतीकोरिन

[फा० सं० एम०-18025/1/78-एफ०ए०सी०]

New Delhi, the 20th July, 1979

S.O.2741:—In exercise of the powers conferred by Sub-section (i) of Section 3 of the India Dock Labourers Act, 1934 (19 of 1934), and in supersession of the notification of the Government of India, in the Ministry of Labour No. S.O. 1994 dated 22nd May, 1976, the Central Government hereby appoints the officers specified in Column 1 of the Table below to be Inspectors for the purposes of the said Act within the local limits of the posts specified in the corresponding entries in column 2 of the said Table.

TABLE

Inspector	Ports
(1)	(2)
Senior Inspector Dock Safety, Bombay Inspector Dock Safety, Bombay Additional Inspector Dock Safety, Bombay Junior Inspector Dock Safety, Bombay	Bombay

Senior Inspector Dock Safety, Bombay Inspector Dock Safety, Kandla	Kandla
Senior Inspector Dock Safety, Bombay Inspector Dock Safety, Mormugao	Mormugao
Senior Inspector Dock Safety, Calcutta Inspector Dock Safety, Calcutta Additional Inspector Dock Safety, Calcutta Junior Inspector Dock Safety, Calcutta	Calcutta
Senior Inspector Dock Safety, Calcutta Inspector Dock Safety, Paradip	Paradip
Senior Inspector Dock Safety, Madras Inspector Dock Safety, Madras Junior Inspector Dock Safety, Madras	Madras, New Man- galore & New Tuti- corin.
Senior Inspector Dock Safety, Madras Inspector Dock Safety, Cochin Additional Inspector Dock Safety, Cochin Junior Inspector Dock Safety, Cochin	Cochin
Senior Inspector Dock Safety, Madras Inspector Dock Safety, Visakhapatnam	Visakhapatnam
Director General, Deputy Director General, Director (Dock Safety), De- puty Director (Engg) Assistant Direc- tor (Engg.)—In the Directorate General Factory Advice Service and Labour Institutes, Bombay.	Bombay, Calcutta Madras, Cochin Kandla, Mormugao Visakhapatnam, Paradip, New Mangalore, New Tuticorin.

[No. S-18025/1/78/Fac.]

कां० 2742.—केन्द्रीय सरकार, डॉक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना सं० कां० 1995, तारीख 22 मई, 1976 को अधिकांश करने हुए, निम्न सारणी के स्तम्भ 1 में विनिर्दिष्ट अधिकारियों को, उक्त अधिनियम के अधीन विरचित डॉक कर्मकार (सुरक्षा, स्वास्थ्य और कल्याण) स्कीम, 1961 के प्रयोजनार्थ, उक्त सारणी के स्तम्भ 2 में तत्सम्बन्धी प्रविष्टियों में विनिर्दिष्ट पदों पर निरीक्षक नियुक्त करती है।

सारणी

निरीक्षक	पद
1	2
ज्येष्ठ निरीक्षक, डॉक सुरक्षा, मुम्बई निरीक्षक, डॉक सुरक्षा, मुम्बई अपर निरीक्षक, डॉक सुरक्षा, मुम्बई कनिष्ठ निरीक्षक, डॉक सुरक्षा, मुम्बई	मुम्बई
ज्येष्ठ निरीक्षक, डॉक सुरक्षा, मुम्बई निरीक्षक, डॉक सुरक्षा, काण्डला	काण्डला
ज्येष्ठ निरीक्षक, डॉक सुरक्षा, मुम्बई निरीक्षक, डॉक सुरक्षा, मोरमुगाओ	मोरमुगाओ
ज्येष्ठ निरीक्षक, डॉक सुरक्षा, कलकत्ता निरीक्षक, डॉक सुरक्षा, कलकत्ता अपर निरीक्षक, डॉक सुरक्षा, कलकत्ता कनिष्ठ निरीक्षक, डॉक सुरक्षा, कलकत्ता	कलकत्ता
ज्येष्ठ निरीक्षक, डॉक सुरक्षा, कलकत्ता निरीक्षक, डॉक सुरक्षा, पारादीप	पारादीप
ज्येष्ठ निरीक्षक, डॉक सुरक्षा, मद्रास निरीक्षक, डॉक सुरक्षा, मद्रास	मद्रास, नव मंगलोर नव सूतीकोरिन

1	2
कनिष्ठ निरीक्षक, डॉक सुरक्षा, मद्रास	कोचीन
ज्येष्ठ निरीक्षक, डॉक सुरक्षा, मद्रास	
निरीक्षक, डॉक सुरक्षा, कांचीन	
अपर निरीक्षक, डॉक सुरक्षा, कोचीन	मिशाखापतनम
कनिष्ठ निरीक्षक, डॉक सुरक्षा, कोचीन	
ज्येष्ठ निरीक्षक, डॉक सुरक्षा, मद्रास	
निरीक्षक, डॉक सुरक्षा, मिशाखापतनम	मुम्बई, कलकत्ता, मद्रास, कोचीन, कांडला, मोर-मुगाओ, मिशाखापतनम, पारादीप, नव मंगलौर, नव तूतीकोरिन
कारखाना गलाह सेवा और श्रम संस्थान	
मुम्बई के महानिदेशालय में	
महानिदेशक, उपमहानिदेशक, निदेशक (डॉक सुरक्षा)	महानिदेशक (इंजीनियरी)
उपनिदेशक (इंजीनियरी)	
सहायक निदेशक (इंजीनियरी)	

[फा० सं० एस०-18025/1/78-एफ०ए०सी०]

जे० के० जैन, अवर सचिव

S.O. 2742:—In exercise of the powers conferred by section 6 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948) and in supersession of the notification of the Government of India in the Ministry of Labour No. S.O. 1995 dated 22nd May, 1976, the Central Government hereby appoints the officers specified in column 1 of the Table below to be Inspectors for the purposes of the Dock Workers (Safety, Health & Welfare) Scheme, 1961, framed under the said Act, at the ports specified in the corresponding entries in column 2 of the said Table.

TABLE

Inspector	Ports
Senior Inspector Dock Safety, Bombay	Bombay
Inspector Dock, Safety, Bombay	
Additional Inspector Dock Safety, Bombay.	
Junior Inspector Dock Safety, Bombay	Kandla
Senior Inspector Dock Safety, Bombay	
Inspector Dock Safety, Kandla	
Senior Inspector Dock Safety, Bombay	Mormugao
Inspector Dock Safety, Mormugao	
Senior Inspector Dock Safety, Calcutta	Calcutta
Inspector Dock Safety, Calcutta	
Additional Inspector Dock Safety, Calcutta.	
Junior Inspector Dock Safety, Calcutta	Paradip
Senior Inspector Dock Safety, Calcutta	
Inspector Dock Safety, Paradip	
Senior Inspector Dock Safety, Madras	Madras, New Mangalore & New Tuticorin.
Inspector Dock Safety, Madras	
Junior Inspector Dock safety, Madras	
Senior Inspector Dock Safety, Madras,	Cochin.
Inspector Dock Safety, Cochin	
Additional Inspector Dock Safety, Cochin	
Junior Inspector Dock Safety, Cochin	Visakhapatnam.
Senior Inspector Dock Safety, Madras	
Inspector Dock Safety, Visakhapatnam	
Director General, Deputy Director General, Director (Dock Safety), Deputy Director (Engg.), Assistant Director (Engg.)—In the Directorate General Factory Advice and Labour Institutes, Bombay.	Bombay, Calcutta, Madras, Cochin, Kandla, Mormugao, Visakhapatnam, Paradip, New Mangalore, New Tuticorin.

[No. S-18025/1/78-Fac.]

J. K. JAIN, Under Secy.

प्रावेश

नई दिल्ली, 4 जुलाई, 1979

फा० सं० 2743—केन्द्रीय सरकार को राय है कि इसमें उपाखण्ड अनुसूची में विनिर्दिष्ट विषय के धारे में भारतीय रिजर्व बैंक, मद्रास के प्रबन्धनन्त्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 7-क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक औद्योगिक अधिकरण गठित करती है, जिसके पीठासीन अधिकारी श्री टी० सुन्दरसनम डेनियल होंगे, जिनका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

1. "क्या भारतीय रिजर्व बैंक, मद्रास के प्रबन्धनन्त्र की आबटिरी के आश्रित कर्मचारियों के वेतन से किरायों की प्रतिशतता की गणना के आधार पर 145 रुपये की सीमा से अधिक कर्मचारियों के वेतन से किराया असूल करने की कार्रवाई न्यायोचित है? यदि नहीं, तो सम्बन्धित कर्मकार किस अनुतोष के हकदार है?"

2. "भारतीय रिजर्व बैंक के प्रबन्धनन्त्र की उस गामले में जहाँ आबटिरी महिला कर्मचारी है, उसके पति के उपाजनों के कारण असतिरिक्त किराया उद्गृहीत करने की कार्रवाई न्यायोचित है? यदि नहीं, तो वे सम्बन्धित कर्मकार किस अनुतोष के हकदार है?"

[स० एस० 12011/61/78-डी० 2-ए]

ORDER

New Delhi, the 4th July, 1979

S.O. 2743.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Reserve Bank of India, Madras and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri T. Sundarasanam Daniel shall be the Presiding Officer, with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

1. "Whether the action of the management of the Reserve Bank of India, Madras in recovering the rent from the salary of employees exceeding the ceiling of Rs. 145 on the basis of calculating the percentage of rent from the salary of dependent employees of the Allottee is justified? If not to what relief are the workmen concerned entitled?"

2. "Whether the action of the management of the Reserve Bank of India in levying additional rent on account of the husband's earnings where the Allottee happens to be a female employee is justified? If not, to what relief are these workmen concerned entitled?"

[No. L-12011/61/78-D. II. A]

New Delhi, the 30th July, 1979.

S.O. 2744.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the management of Allahabad Bank, Majhgawan Branch, Distt. Satna and their workmen over termination of services of Shri Paramlal Burman, Peon-cum-Farrash with effect from 24-3-77 which was received by the Central Government on 12-7-79.

BEFORE SHRI S. N. JOHRI, B.Sc., LL.M., PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(1)/1979

PARTIES :

Management of Allahabad Bank, Corporation Building, Hamidia Road, Bhopal and their workman Shri Paramlal Burman, Peon-cum-Farrash, Majhgawan Branch, District Satna represented by the President, M.P. Bank Employees' Association, 64, Kingsway, Cantonment, Jabalpur (M.P.)

APPEARANCES :

For Union : Shri P.N. Sharma, President.
For Bank : Shri K. K. Tandon, Establishment Officer.

INDUSTRY : Bank **DISTRICT :** Satna (M.P.)

AWARD

This is a reference made by the Government of India in the Ministry of Labour vide its Order No. L-12012/51/78-D. II. A dated 23rd January, 1979, for the adjudication of the following industrial dispute :

"Whether the action of the management of Allahabad Bank, Majhgawan Branch, Distt. Satna in terminating the services of Shri Paramlal Burman, Peon-cum-Farrash with effect from 24-3-77 is justified ? If not, to what relief he is entitled ?"

2. It is not disputed by the parties that Shri Paramlal Burman was appointed as Peon-cum-Farrash at the Majhgawan Branch of the Bank on 28-6-1973. He continued in the service with intermittent short breaks of a day or so and ultimately without giving any notice or paying notice pay in lieu thereof and without paying any compensation as required by the provisions of Sec. 25F of Industrial Disputes Act the service of Shri Paramlal Burman was terminated on 24-3-1977.

3. Management's case is that as the workman was a temporary employee Sec. 25F of Industrial Disputes Act did not apply. I have been informed that the management is ready to take the workman in employment without paying back wages but at the same time it is prepared to give him all other benefits of continuity of service etc. The Union is not agreeable for a settlement on the terms so offered to it.

4. Looking to the limited nature of the question posed by the Government in the order of reference, there is no need to go into the controversy as to whether the workman was a temporary workman or should be deemed to be a probationer and confirmed employee after the expiry of the required period of probation. It is now settled position of law that the protection of Sec. 25F is available to the temporary employees as well. This is again settled in the leading case of Sundramony that Section 25F is not limited to termination of surplusage and termination for any reason whatsoever except for reasons given in Sec. 2(oo) of I. D. Act brings the fact of termination within the mischief of retrenchment as contemplated by the law. Admittedly the workman has completed 240 days continuous service (excluding breaks) during the period of 12 months preceding the date of termination. Thus even if the pleadings raised by the Bank are accepted with respect to the status of the employee as temporary still he could not be summarily dismissed from service without giving any notice or notice pay in lieu thereof and without payment of retrenchment compensation. As the directions of Sec. 25F of Industrial Disputes Act have been utterly disregarded the order of termination is invalid and void in law.

5. It is, therefore, held that the order of termination was

illegal, void and nonest. The workman shall be deemed to have continued in service from the date of termination till he is taken back in employment. He shall be entitled to all back wages together with other benefits arising from the continuity of service. The management shall pay Rs. 50/- as costs to the Union. Award is given accordingly.

2-7-1979.

S. N. JOHRI, Presiding Officer
[No. L-12012/51/78-D. II. A]

S.O. 2745.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the management of Allahabad Bank, Lalmati Branch, Jabalpur and their workman over the termination of services of Shri Roop Kishore, Peon in March, 1977, which was received by the Central Government on 12-7-79.

BEFORE SHRI S. N. JOHRI, B.Sc., LL.M., PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(2)/1979

PARTIES :

Management of Allahabad Bank, Corporation Building, Hamidia Road, Bhopal and their workman Shri Roop Kishore, Peon, Lalmati Branch, Jabalpur represented by the President, M.P. Bank Employees' Association, 64, Kingsway, Cantonment, Jabalpur (M. P.)

APPEARANCES :

For Union : Shri P. N. Sharma, President.
For Bank : Shri K. K. Tandon, Establishment Officer.

INDUSTRY : Bank **DISTRICT :** Jabalpur (M.P.)

AWARD

This is a reference made by the Government of India in the Ministry of Labour vide its Order No. L-12012/56/78-D. II. A Dated 25th January, 1979, for the adjudication of the following industrial dispute :—

"Whether the action of the management of Allahabad Bank, Lalmati Branch, Jabalpur in terminating the service of Shri Roop Kishore, Peon in March, 1977 is justified ? If not, to what relief the employee is entitled ?"

2. It is not disputed by the parties that Shri Roop Kishore was appointed as Peon-cum-Farrash at Lalmati Branch of the Bank at Jabalpur on 17-11-1975. He continued in the service with intermittent short breaks of three or four days and ultimately without giving any notice or paying notice pay in lieu thereof and without paying any compensation as required by the provisions of Sec. 25F of Industrial Disputes Act the service of Shri Roop Kishore, Peon, was terminated on 24-3-1977 (A.N.).

3. Management's case is that employee Sec. 25F of Industrial Disputes Act did not apply. I have been informed that the management is ready to take the workman in employment without paying back wages but at the same time it is prepared to give him all other benefits of continuity of service etc. The Union is not agreeable for a settlement on the terms so offered to it.

4. Looking to the limited nature of the question posed by the Government in the order of reference, there is no need to go into the controversy as to whether the workman was a temporary workman or should be deemed to be a probationer and confirmed employee after the expiry of the required period of probation. It is now settled position of law that the protection of Sec. 25F is available to the temporary employees as well. This is again settled in the leading case of Sundramony that Sec. 25F is not limited to termination of surplusage and termination for any reason whatsoever except for reasons given in Sec. 2(oo) of I.D. Act, brings the fact of termination within the mischief of retrenchment as contemplated by the law. Admittedly the

workman has completed 240 days continuous service (excluding breaks) during the period of 12 months preceding the date of termination. Thus even if the pleadings raised by the Bank are accepted with respect to the status of the employee as temporary still he could not be summarily dismissed from service without giving any notice or notice pay in lieu thereof and without payment of retrenchment compensation. As the directions of Sec. 25F of Industrial Disputes Act have been utterly disregarded the order of termination is invalid and void in law.

5 It is, therefore, held that the order of termination was illegal void and nonest. The workman shall be deemed to have continued in service from the date of termination till he is taken back in employment. He shall be entitled to all back wages together with other benefits arising from the continuity of service. The management shall pay Rs. 50/- as costs to the Union. Award is given accordingly.

2-7-1979.

S.N. JOHRI, Presiding Officer

[No. L-12012/56/78-D. II.A]

S.O. 2746.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the management of Allahabad Bank and their workman over termination of services of Shri Mewalal Yadav, Peon-cum-Farrash, Rewa Branch w.e.f. 25-10-77, which was received by the Central Government on 12-7-79.

BEFORE SHRI S.N. JOHRI, B.Sc., LL.M. PRESIDING
OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)56/1978**PARTIES :**

Management of Allahabad Bank, Corporation Building, Hamidia Road, Bhopal and their workman Shri Mewalal Yadav, Peon-cum-Farrash, Rewa Branch of the Bank represented by the President, M.P. Bank Employees Association, 64, Kingsway, Cantonment, Jabalpur (M.P.)

APPEARANCES :

For Union : Shri P. N. Sharma, President.

For Bank : Shri K. K. Tandon, Establishment Officer.

INDUSTRY : Bank**DISTRICT : Rewa (M.P.)****AWARD**

This is a reference made by the Government of India in the Ministry of Labour vide its Order No. L-12011/56/78-D.II.A dated 24th October, 1978, for the adjudication of the following industrial dispute :

"Whether the action of the management of Allahabad Bank in terminating the services of Shri Mewalal Yadav, Peon-cum-Farrash, Rewa Branch of the Bank w.e.f. 25-10-1977 is legal and justified? If not, to what relief is the workman concerned entitled?"

2. It is not disputed by the parties that Shri Mewalal Yadav was appointed as Peon-cum-Farrash of the Bank on 12-9-1974. He continued in the service with intermittent breaks of three or four days and ultimately without giving any notice or paying notice pay in lieu thereof and without paying any compensation as required by provisions of Sec. 25F of Industrial Disputes Act the service of Shri Mewalal Yadav was terminated with effect from 25-10-1977.

3. Management's case is that as the workman was a temporary employee Sec. 25F of Industrial Disputes Act did not apply. I have been informed that the management is ready to take the workman in employment without paying back wages but at the same time it is prepared to give him all other benefits of continuity of service etc. The Union is not agreeable for a settlement on the terms so offered to it.

4. Looking to the limited nature of the question posed by the Government in the order of reference, there is no need to go into the controversy as to whether the workman was a temporary workman or should be deemed to be a probationer and confirmed employee after the expiry of the required period of probation. It is now settled position of law that the protection of sec. 25F is available to the temporary employees as well. This is again settled in the leading case of Sundramony that Section 25F is not limited to termination of surplusage and termination for any reason whatsoever except for reasons given in Sec. 2(oo) of I.D. Act brings the fact of termination within the mischief of retrenchment as contemplated by the law. Admittedly the workman has completed 240 days continuous service (excluding breaks) during the period of 12 months preceding the date of termination. Thus even if the pleading raised by the Bank are accepted with respect to the status of the employee as temporary still he could not be summarily dismissed from service without giving any notice or notice pay in lieu thereof and without payment of retrenchment compensation. As the directions of Sec. 25F of Industrial Disputes Act have been utterly disregarded the order of termination is invalid and void in law.

5. It is, therefore, held that the order of termination was illegal, void and nonest. The workman shall be deemed to have continued in service from the date of termination till he is taken back in employment. He shall be entitled to all back wages together with other benefit arising from the continuity of service. The management shall pay Rs. 50 as costs to the Union. Award is given accordingly.

2-7-1979.

[No. L-12011/56/78-D. II. A]

S.N. JOHRI, Presiding Officer

S.O. 2747.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the management of Allahabad Bank, Rewa Branch and their workman over termination of services of Shri Shiv Kumar Singh, Peon-cum-Farrash, Rewa Branch with effect from 9-8-77, which was received by the Central Government on 12-7-79.

BEFORE SHRI S. N. JOHRI, B.Sc., LL.M. PRESIDING
OFFICER CENTRAL GOVT. INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)57/1978**PARTIES :**

Management of Allahabad Bank, Corporation Building, Hamidia Road, Bhopal and their workman Shri Shiv Kumar Singh, Peon-cum-Farrash, Rewa Branch, Rewa represented through the President, M. P. Bank Employees Association, 64, Kingsway Cantt. Jabalpur (M.P.).

APPEARANCES :

For Union : Shri P. N. Sharma, President.

For Bank : Shri K. K. Tandon, Establishment Officer.

INDUSTRY : Bank**DISTRICT : Rewa (M.P.)****AWARD**

This is a reference made by the Government of India in the Ministry of Labour vide its Order No. L-12011/54/78-D.II.A. dated 25th October, 1978, from the adjudication of the following industrial disputes :

EWAlmentsyt

"Whether the action of the management of Allahabad Bank Rewa Branch in terminating the services of Shri Shiv Kumar Singh, Peon-cum-Farrash, Rewa Branch with effect from 9-8-1977 is legal and justified? If not, to what relief is the workman concerned entitled?"

2. It is not disputed by the parties that Shri Shiv Kumar Singh at the Rewa Branch of the Bank on 1-7-1974. He continued in the service with intermittent breaks and ultimately without giving any notice or paying notice pay in lieu thereof and without paying any compensation as required by the provisions of Sec. 25F of Industrial Disputes Act the service of Shri Shiv Kumar Singh was terminated with effect from 9-8-1977.

3. Management's case is that as the workman was a temporary employee Sec. 25F of Industrial Disputes Act did not apply. I have been informed that the Bank Management is back wages but at the same time it is prepared to give him all other benefits of continuity of service etc. The Union is not agreeable for a settlement on the terms so offered to it.

4. Looking to the limited nature of the question posed by the Government in the order of reference, there is no need to go into the controversy as to whether the workman was a temporary workman or should be deemed to be a probationer and confirmed employee after the expiry of the required period of probation. It is now settled position of law that the protection of Sec. 25F is available to the temporary employees as well. This is again settled in the leading case of Sundramony that Section 25F is not limited to termination of surplusage and termination for any reason whatsoever except for reasons given in Section 2(00) of I.D. Act brings the fact of termination within the mischief of retrenchment as contemplated by the law. Admittedly the workman has completed 240 days continuous service (excluding breaks during the period of 12 months preceding the date of termination. Thus even if the pleadings raised by the Bank are accepted with respect to the status of the employee as temporary still he could not be summarily dismissed from service without giving any notice or notice pay in lieu thereof and without payment of retrenchment compensation. As the directions of Sec. 25F of Industrial Disputes Act have been utterly disregarded the order of termination is invalid and void in law.

5. It is, therefore, held that the order of termination was illegal, void and nonest. The workman shall be deemed to have continued in service from the date of termination till he is taken back in employment. He shall be entitled to all back wages together with other benefits arising from the continuity of service. The management shall pay Rs. 50 as cost to the Union Award is given accordingly.

2-7-1979.

S. N. JOHRI, Presiding Officer
[No L-12011/54/78-D.II.A.]

New Delhi, the 31st July, 1979

S.O. 2748.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the management of State Bank of Patiala, The Mall, Patiala and their workman over the termination of services of Kumari Santosh Gupta, Ex-Clerk-cum-Typist with effect from the afternoon of 21st August, 1974, which was received by the Central Government on 13-7-79.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI.

I.D. No. 90 of 1977

In re :

Kumari Santosh Gupta D/o Late Shri Roshan Lal, 1555, Old Caddakhana, Patiala.

Versus

The General Manager,
State Bank of Patiala,
The Mall,
Patiala.

PRESENT :

Shri M. K. Ramamurthy, for the workman Dr. Anand Parkash for the Management.

AWARD

The Central Govt. as appropriate to Govt. made a reference u/s 10 of the I. D. Act, 1947 vide its order No. L-12012/94/76-D.II.A dated the 4th October, 1976 to Central Govt. Industrial Tribunal, Delhi in the following terms :

Whether the action of the management of the State Bank of Patiala, the Mall, Patiala in terminating the services of Kumari Santosh Gupta, Ex. Clerk-cum-typist w.e.f. the afternoon of 21st August, 1974 is legal and justified ? If not, to what relief is she entitled ?

2. On receipt of the reference it was ordered to be registered and notices were sent to the parties for 12th November, 1976 and in pursuance thereof a statement of claim was filed on behalf of the workman. Thereafter a written statement was filed by the Management and in the meanwhile this case was transferred to this Tribunal by the appropriate Govt. vide its order No. 12025/76-D.II(A)-D.4(B) dated the 13th May, 1977. On receipt of this reference it was ordered to be registered and notices were issued to the parties and in consequence a replication was filed on behalf of the workman. Thereafter documents were got filed and on the pleadings of the parties following one issue was framed.

1. As in the ordered of reference ? Thereafter evidence of the parties was recorded and finally arguments were heard.

3. I have gone through the evidence produced by the parties and have heard the counsel for the parties at length and after giving by considered thought to the matter before me I have come to the following findings upon this issue.

4. The contention of the workman as disclosed from her statement of claim is that she was employed by the State Bank of Patiala at its Head Office w.e.f. 30th July, 1975 against a permanent vacancy and she continued there till 21-8-1974. It is contended by the workman that the workman was given some breaks to deprive her of chances of permanency and she has further stated that the Bank terminated her services on 21-8-1974 even though the workman had worked diligently and fairly and there was no complaint against her work and conduct. It is also contended that the management had been adopting unfair labour practice in the matter of employment in so far as the services were terminated now and then without complying with the statutory and mandatory provisions of Industrial Dispute Act. Finally it is urged by her that as the Bank Management has failed to comply with the mandatory provisions viz. Section 25F of the Industrial Dispute Act, her termination was illegal and in operative and hence she has claimed to be reinstated with full back wages and continuity of service.

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5. On behalf of the Bank it is not denied that the workman was engaged on 13-7-73 and her services were terminated finally on 21-8-74 and that in between there were few gaps in the employment of the workman but it is urged by the Bank that the provisions of Section 25F are not attracted in the case of the workman in as much as initially there were some permanent vacancies in the Bank and it was thought that workman would be ultimately absorbed in a permanent vacancy subject to fulfilment of the pre-conditions for permanent employment which are that a written test would have to be taken by the workman apart from a type test and interview and on her being successful in the test she could appointed permanently but she did take the test on 4-11-73 but did not qualify and hence her services were terminated and she could not be absorbed in the permanent service of the Bank. The allegation of unfair labour practice have been denied and finally it is urged that there is no non-compliance of Section 25F as it was not attracted by the case of the workman and it is urged that the workman was not entitled to any relief whatsoever.

6. In order to prove her contention the workman has tendered her affidavit in which it is stated by her that she was employed with the State Bank of Patiala from 13-7-73 till 21-8-74 in clerical cadre and she had worked for 240 days preceding the date of her service and that her services were not terminated either because of disciplinary action or continuous ill health or because of voluntary retirement or superannuation and she was not given any notice or pay or

retrenchment compensation at the time of termination of her services as required u/s 25F of the Act and she demand of the workman was made orally and in writing was not accepted and she could not secure any alternative employment and inspite of efforts she had remained unemployed after the termination of her services. She has been cross-examined on this affidavit and during her cross-examination as W.W. 1 she has admitted that she did take the test for regular absorption on the 4th November, 1973 but did not qualify which was necessary for her regular absorption in the Bank's service in accordance with the Bank rules. It is further admitted by her that she had taken up the question of violation of Section 25F in October, 1976. She has produced Ex. W/1, W/2 and Ex. W/3 which are respectively copies of her application for employment submitted to Lakshmi Commercial Bank and Oriental Bank of Commerce and registration certificate with the Employment Exchange. As against this evidence of the workman, the Management has examined Shri R. S. Sethi, M.W. 1 of the Personnel Department of the Bank who has stated that this was not a case of surplusage rather it was a case of non-qualify of test. During cross examination it was admitted by him that there was no need for continuation as a temporary employee.

7. It is in the light of these allegations of the parties and the evidence led by the parties that the validity of the termination of the workman has been examined. The contention of the workman pure and simple is that she had worked for 240 days in a year during her employment with the respondent and as such the provisions of Section 25F of the I.D. Act were required to be complied with before her services could be terminated by the Bank and the same have not been complied with, with the result that the termination is void abinitio. The Id. counsel for the workman has in this behalf relied upon a ruling of the Hon'ble Supreme Court of India reported as State Bank of India Vs. N. Sundermani—1976(1) LLJ-SC-478.

8. This is admitted by the Management that certainly workman had worked with the Bank from 13-7-73 to 21-8-74 with breaks and that in all she had put in 240 days of service immediately before 21st August, 1974. It is also admitted that no notice of retrenchment was given and no retrenchment compensation was paid to the workman as required u/s 25F of the I.D. Act, 1947. In the face of these admissions of the Bank and in view of the principle of law laid down in the ruling above mentioned it is urged on behalf of the workman that the termination of the workman was void abinitio.

9. The factual position as emerges in this case from the pleadings of the parties and their evidence is that Mrs. Santosh Gupta, the workman was employed on 13th July, 1973 in a temporary capacity with a view to her ultimate absorption as permanent employee of the Bank on her passing the requisite test laid down from permanent recruitment but she having failed to qualify the test for regular absorption held on 4th November, 1973 her services came to an end on 21st August, 1974. From this factual position it is amply clear that no element of surplusage is present in the termination of the service of this workman. The termination is the result of the failure of Mrs. Santosh Gupta to qualify in the test for regular absorption held on 4th November, 1973. It is admitted in the very first line of her cross examination by Mrs. Santosh Gupta that she took her test for regular absorption on 4th November, 1973 but could not qualify although it was necessary for her regular absorption in the Bank's service to qualify in the said test. This being the position it would be difficult to say that the ruling relied upon by the Id. counsel for the workman and reported as State Bank of India Vs. N. Sundermani—1976(1)-LLJ-478 is applicable to the facts of this case.

10. The scope of Sundermani's case has been examined at length by a full Bench of Kerala High Court in a recent Judgment reported as 1979 (1)LLJ—211, I. Robert D'Souza Vs. Executive Engineer, Southern Railway and it was held therein that the earlier rulings namely Papraich Sugar Mills Ltd. Vs. Papradi Sugar Mills Mazdoor Union—1957 (1-LLJ—235 Barshi Light Railway Co. Ltd. Vs. Joglekar's 1957-SC-121, Hari Parshad Shiv Shankar Shukla's case (1957-SC-121) still hold good and are not in conflict with N. Sundermani's

case it had been in these successive rulings accepted that inspite of the language used in Section 2(OO) of the I.D. Act, 1947 any termination to be covered by retrenchment u/s 25F must have surplusage as an essential element. This has not been the case in the instant case it cannot be held that there was any violation of Section 25F of the I.D. Act in the instant case. In fact Section 25F is not even attracted by the facts of this case and I hold accordingly. Sundermani's case has also been noticed in a D. B. Judgment of the Delhi High Court even in Civil Writ No. 851/77 which has been reported as 1978(3)F.L.R.I. and from the perusal of this ruling also it would follow that the provisions of Section 25F are not attracted by the case of this workman. As observed in the Kerala High Court and Delhi High Court Judgment element of surplusage was inherent in Sunder Mani's case including subsequent Hindustan Steel's case (1977) (i) LLJ D M(1978(1)LLJ(1- but the same being not presented in the instant case Section 25F would not be attracted.

11. Let us consider the matter from yet another angle. The petitioner could not be permanently absorbed unless she had passed the requisite test for recruitment. She has failed to pass the said test and in these circumstances it would go too much to expect this court to reinstate the workman by having recourse to the device of Section 25F. It would not be out of place to mention here that Section 2 of the I.D. Act itself provides that the definitions given in that section are subject to the repugnancy in the context and the subject. This would be clear from the use of words unless there is anything repugnant in the subject or context..... of Section 2. Thus Sec. 2 (OO) is definitely to be read subject to the context and when we read it in that context it cannot be said that the retrenchment u/s. 25F can be given that wider meaning as are used in section 2(OO). There are certain practical legal difficulties if element of surplusage is not read into the definition of retrenchment as used in Section 25F. If this element is not read into it, it would simply that if the services of an Apprentice or a Probationer, who are covered by the I.D. Act 1947, are terminated for unsuccessful completion of apprenticeship or probation after having put in 240 days of work the provisions of Section 25F would be attracted which hardly can be the intention of the legislature. Similarly the Act itself provides exceptions in section 25FF and Section 25FFF to section 2(OO). If element of surplusage were not read into the word retrenchment as used in Sec. 25F section 25FF and Section 25FFF would be superfluous and these cases should also be covered u/s 25F which is not the case.

12. Let us examine this aspect further. Section 25G of I.D. Act lays down the procedure for retrenchment and this section governs the retrenchment u/s. 25F. It would not be possible to give effect to the provisions of Sec. 25F, if all cases of termination short of the three mentioned in section 2(OO) were to be covered. Take the present case in hand, this termination would be in violation of the procedure laid down in Section 25G and it is not possible to reconcile this position with the facts of this case and thereafter an element of surplusage has to be essentially read into the definition of retrenchment as applicable to Section 25F. Further more Sec. 25N of the I.D. Act provides for re-employment of retrenched workman in the circumstances mentioned therein and this section also cannot be complied with or observed in the termination of the present case because of the practical and the legal difficulties involved therein. I am sure the legislature ever intended to include the cases of the present nature to be covered by definition of retrenchment as the term has been used in Section 25F. Otherwise CS2 5FF, 2F, 25G and 25H would be redundant.

12. If an element of surplusage is not read into the definition of retrenchment as used in Section 25F in that event the cessation of service resulting from less of lieu in consequence of continued absence of the work as provided in services rules or Standing Orders would also become a retrenchment which could hardly be the intention of the legislature.

13. In view of my discussion above, it cannot be said that the termination of services of Mrs. Santosh Gupta, Ex. Clerk-cum-typist. AN of 31st August, 1974 was in violation of provisions of Section 25F of the I.D. Act, 1947.

14. It has been half heartedly urged before so that this practice of appointing temporary employees for short periods was an unfair labour practice but unfortunately this has been

provided by the Shastry Award as improved upon by the Desai Award and the subsequent Bipartite Settlement regulating the Banking Industry as a whole in the Country where under long term temporary appointments cannot be made and as such report has to be had to short term temporary appointments of the present nature. Some arrangements or the other have essentially to be made until the recruitment process on permanent basis through examination is completed in view thereof it cannot be said that this practice is a unfair labour practice. It is rather sanctioned by the Bipartite Settlement and the Bank's Award.

15. The termination has not been challenged on any other ground.

16. In view of my discussions and findings above, I hold that the termination of services of Mrs. Santosh Gupta w.e.f. 21-8-1974 is valid, legal and justified and that she is not entitled to any relief what so ever in this reference and it is awarded accordingly. Parties are left to bear their own costs.

MAHESH CHANDRA, Presiding Officer

[No. L. 12012/94/76-D.II A]

Dated : the 9th July, 1979.

S.O. 2749.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the management of Grindlays Bank Limited, Northern Region, New Delhi and their workmen over proposing increase in workload, stagger the hours of work and change the method of selection of machine operators, which was received by the Central Government on 13-7-79.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,

NEW DELHI

ID. No. 175 of 1977

In re :

The General Secretary, National and Grindlays Bank Employees Union, C/o Grindlays Bank Ltd., H-Block, Connaught Circus, New Delhi—Petitioner.

Versus

The General Manager, Northern Region, Grindlays Bank Ltd., H-Block, Connaught Circus, New Delhi—Respondent.

PRESENT :

Shri Rajinder Sayal—for the workmen.

Shri K. L. Sethi—for the Management.

AWARD

The Central Govt. as appropriate Govt made a reference vide its order No. L. 12011/20/75/DII/A dated the 19th September, 1975 in the following terms to Industrial Tribunal, Delhi.

'Whether the action of the management of the Grindlays Bank Limited, Northern Region, New Delhi in proposing increase in workload, stagger the hours of work and change the method of selection of machine operators is justified? If not, to what relief are the aggrieved workmen entitled?'

2. After the reference was received it was ordered to be registered and notices were ordered to be issued to the respective parties and in pursuance thereof the workmen filed a statement of claim and in reply thereto the Management filed its written statement and finally in pursuance of the

contentions of the respective parties the following issues were framed by the Industrial Tribunal, Delhi :

1. Whether the case has been validly and properly espoused?
2. Whether the notice of demand does not mention the subject matter of reference and therefore does not raise an industrial dispute?
3. Whether the reference is barred by the Sastry and Desai Awards and the Bipartite Settlement?
4. As in the term of reference.

3. Thereafter the case was fixed for evidence and the part statement of W.W.1 was recorded by the Industrial Tribunal, Delhi but in the meanwhile this case was transferred to this Tribunal by the appropriate Govt.

4. On receipt of the reference it was ordered to be registered and notices were issued to the parties and when the statement of W.W.1 was completed in this court, the representative of the workmen closed the evidence on behalf of the workmen and it was thereafter that the parties representatives appeared before me today and have filed an application that the matter may be deemed to be settled and an award in terms of the settlement Ex. C/1 may be passed in the matter. In pursuance of the said application the file was put up before me and I have recorded the settlement vide statements of Shri Rajender Sayal and Shri K. L. Sethi for the parties. From the perusal of the settlement Ex. C/1 I do find that certainly parties have arrived at a settlement. The settlement is Ex. C/1 and bears the signatures of respective representatives of the parties and is just and reasonable and is for the benefit of the workmen and accordingly an award in terms of the settlement is hereby made. The settlement Ex. C/1 would form part of the award and shall be read as Annexure thereof.

Dated : the 14th June, 1979.

24th Jyashtha, 1901.

..[No. L-12011/20/75-D.II. A]

MAHESH CHANDRA, Presiding Officer

MEMORANDUM OF SETTLEMENT

Names of Parties

Grindlays Bank Limited, Delhi and New Delhi.

And

Their Workmen.

Representing Employers

1. Mr. G. W. W. Cunningham General Manager-Northern India.
2. Mr. G. S. Malhotra, Operations Manager, Northern India.

Representing Workmen

1. Mr. D. P. Mehra, President National and Grindlays Bank Employees' Union.
2. Mr. Rajinder Sayal, General Secretary, National and Grindlays Bank Employees' Union.

Short Recital

The workman through National and Grindlays Bank Employees Union Delhi had raised a dispute in respect of workload, staggering of hours of work and change in the method of selection of machine operators. The matter was referred to adjudication and was numbered as ID No. 175/77 pending before the Central Government Industrial Tribunal Delhi. In spite of the pendency of the adjudication the parties held series of discussions since September 1978 for arriving at a mutual settlement, the terms of which were finalised in a joint meeting held on 27-4-1979. Consequently a formal settlement is being signed without prejudice to the provisions of the Bipartite Settlement in the Banking Industry on the following terms.

Terms of Settlement

1. That the parties agree for the extension of mechanisation of Current Accounts Department and Accounts Department in Connaught Place, Asaf Ali Road and Delhi branches on the same basis as had been done in Parliament Street group of branches (Parliament Street, Karol Bagh, Model Basti and Chanakyapuri) and Connaught Circus Branch and in doing so the Management may introduce and/or replace the existing Ascota machines (Blue Star 170, single-run) by any other comparable machines within the framework of the Bipartite Settlement.

2. That the parties agree that there will be a unit of 2-1/2 machine operators per machine and Chanakyapuri branch will be treated as part of Parliament Street branch for this purpose, provided, however, that if at any branch only one machine is installed for Current Account Department a unit of 3 operators will be appointed and provided further that if at any branch separate machine/s is/are installed for only General Ledger work in Accounts Department there will be one machine operator per machine.

3. That the parties agree that the duties of machine operators in the Current Accounts Department will be as per Annexure 'A' attached.

4. That the parties agree that the initial appointment of machine operators as well as temporary entrustment of the duties of machine operator at the Connaught Place, Chandni Chowk and Asaf Ali Road branches at the time of introduction of mechanisation at these branches will be made on the basis of seniority from amongst the staff who are in the empanelled lists prepared in those branches in the similar manner as in operation in Parliament Street group of branches and Connaught Circus branch where the panel lists are in operation except in those cases where the employees have been promoted as Officers or appointed as Special Assistants or Head Clerks.

5. That the parties agree that after appointment of machine operators and provision for temporary entrustment of duties of machine operators have been made from empanelled lists in branches as stated in para (4) above, the appointment of machine operators at the Delhi Centre will be made on Centrewise basis and selection will be as per seniority amongst the applicants provided, however, that if any person who is appointed as a machine operator, does not perform the allotted duties efficiently, as per Annexure 'A' and does not improve himself in performance of the same inspite of due opportunity being given to him his duties as machine operator will be withdrawn.

6. That in the event of a permanent machine operator in any branch being on leave the parties agree that the existing practice will continue viz. next senior from amongst the applicants in a particular branch/group of branches shall be required to work for which a list shall be maintained in each branch from amongst the applicants of centrewise lists as agreed in para (5) above.

7. That the parties further agree that after the appointments have been made as envisaged in para (4) and (5) above and the centrewise lists have been prepared the existing lists in operation in Parliament Street group of branches and Connaught Circus branch shall cease to exist.

8. That the appointment of machine operators in terms of this settlement will not deprive any machine operator for consideration for appointment as Special Assistant or Head Clerk or promotion to Officer Cadre in terms of separate settlement between the Bank and the All India Grindlays Bank Employees' Federation.

9. That this settlement is a settlement under Section 2(p) of the Industrial Disputes Act, 1947.

10. A copy of this settlement will be filed jointly by both parties before the Industrial Tribunal, Delhi in ID No. 175 of 1977 with a prayer to pass an award in terms of the settlement.

Signed this 5th day of June, 1979 at New Delhi.

Sd/- illegible

For and on behalf of the workmen,
through Grindlays Bank Employees' Union

Sd/- illegible

For and on behalf of the
Management of M/s. Grindlays
Bank Limited.

426 GI/78—7

WITNESSES :

(1) Sd/-

(2) Sd/-

(3) Sd/-

ANNEXURE 'A'**Duties of Machine Operators**

1. Rough sort ledger-wise.
2. Fine sort account-wise.
3. Select cards.
4. Check for balance for no unauthorised overdrafts.
5. Prepare all-round enquiry slips.
6. Complete O. D. sheets in all respects.
7. Mechanised posting of all vouchers/cheques.
8. Total O. D. sheets.
9. Prepare lotting lists.
10. Re-sort cards into boxes.
11. Head-up new cards and master cards.
12. Carry forward balances to new cards.
13. Enter cheque book numbers of new cards and master cards.
14. Record stop payments.
15. Prepare balance certificates.
16. Take out ledger balances and assist in balancing of ledgers.
17. Hand over statements for despatch to checking officials.
18. Prepare duplicate statements.
19. Calculate interest.
20. Ensure vouchers are approved before posting.
21. Prepare daily summary of current accounts.
22. Assist in completing account opened and closed register.
23. File old cards.
24. Reconcile zero-proof on backing sheets.

MAHESH CHANDRA, Presiding Officer
[No. L-12011/20/75-D.II. A]

S.O. 2750.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the management of Bank of Maharashtra and their workmen over not absorbing Shri V. S. Nimkar, Part time Pass Book Writer/Temporary Clerk permanently in the Bank service with effect from 23-7-1975 against a permanent vacancy, which was received by the Central Government on 13-7-1979.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL CUM-LABOUR COURT, NEW DELHI

I. D. No. 139 of 1977

In re :

Shri V. S. Nimkar, The Secretary, Union of Maharashtra Bank Employees (Delhi Unit), 898, Nai Sarak, Delhi-6. —Petitioner.

Versus

The Zonal Manager, Bank of Maharashtra, Northern Zone, Hocchest House, 3/1, Asaf Ali Road, New Delhi.

AWARD

The Central Govt. as appropriate Govt. vide its Order No. L-12012/23/77-D. II. A dated the 18th June, 1977 made a reference to this Tribunal u/s 10 of the I.D. Act, 1947 :

'Whether the action of the management of the Bank of Maharashtra is not absorbing Shri V. S. Nimkar, part time Pass Book writer/Temporary Clerk Per-

manently in the Bank service w.e.f. 23-7-75 against a permanent vacancy in the Karol Bagh Branch in New Delhi is justified? If not, to what relief is the workman entitled?

2. On receipt of the reference usual notices were sent to the parties and a statement of claim was filed on behalf of the workman. Thereafter a written statement was also filed. Finally a replication was filed. On the pleadings of the parties issues were framed and the four issues were framed as under :—

1. Whether Shri V. S. Nimkar is not a workman as alleged?
2. Whether the reference is not valid as alleged?
3. Whether the workman concerned is entitled to be absorbed in the bank as alleged?
4. As in terms of reference.

Thereafter the case was adjourned for evidence of the parties. In the meanwhile talks for compromise started between the parties and finally a compromise was arrived at between the parties. It was ordered to be recorded in so far as it was beneficial for the workman. The statement of Shri R. Kadam and J. P. Amodekar the representative of the Union and the Management respectively was recorded in which it is stated by them that No tender S/I settlement. An award in terms of this settlement may be made.

An award is accordingly made as per settlement S/I which settlement would form part of this award.

BEFORE THE HON'BLE PRESIDING OFFICER,
CENTRAL GOVT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT AT NEW DELHI

I.D. No. 139/77

In the matter of :—

Bank of Maharashtra B/o Karolbagh, New Delhi
C/o Zonal Manager, Bank of Maharashtra, Hoechst House, Asaf Ali Road, New Delhi—Employers
Versus

Its workmen as represented by the Union of the Maharashtra Bank Employees (Regd.), Delhi Unit, 898, Nai Sarak, Ch. Chowk, Delhi-6, case of Shri V. S. Nimkar, Part-time Pass Book Writer/Temporary clerk B/o Karolbagh, New Delhi—Opp Party

1. That the above dispute was referred by the Govt. of India, Ministry of Labour, New Delhi, for adjudication to this Hon'ble Tribunal as per schedule given below :—

"Whether the action of the management of the Bank of Maharashtra in not absorbing Shri V. S. Nimkar, Part-time Pass Book Writer/Temporary Clerk permanently in Bank's service with effect from 23-7-75 against the permanent vacancy in the Karolbagh Branch in New Delhi, is justified? If not to what relief is the workman entitled?"

2. That both the parties have filed their claim statements, rejoinders and the case is now fixed for evidence.

3. That the parties have since arrived at an amicable settlement and as such it is prayed that this Hon'ble Tribunal be pleased to pass a compromise Award as per terms given below :—

- (i) That Shri V. S. Nimkar will be treated as a permanent clerk/typist with effect from 23-7-1975.
- (ii) That from 23-7-75 his starting salary will be Rs 190 payable to a Graduate plus Rs 19 Typist allowance being paid by the bank to typist/clerks.
- (iii) That Shri V. S. Nimkar will be released his Annual graded increments for the years 1976, 1977, 1978 and 1979 from anniversary date, i.e. 23rd July, each year.

(iv) That Shri V. S. Nimkar will be paid adjusted basic pay with all allowances admissible under the Bank Award as modified upto date with effect from 18-6-79.

(v) That Shri V. S. Nimkar will not be paid arrears from 23-7-75 to 17-6-79. He shall not also claim any promotional benefit which he might have got had he remained in service.

4. That the above terms are in full and final settlement of the above dispute.

RAMESH KADAM,

Secretary, Union of the Maharashtra
Bank Employees Delhi Unit,
898, Nai Sarak, Ch. Chowk, Delhi-6.

J. P. AMODEKAR,

Law Officer,
Zonal Office,
Bank of Maharashtra,
Hoechst House, Asaf Ali
Road, New Delhi

V S NIMKAR

Workman concerned

MAHESH CHANDRA, Presiding Officer

[No. L-12012/23/77-D. II.A]

Dated : the 18th June, 1978

S.O. 2751.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the management of Chartered Bank, New Delhi and their workman over not designating Shri D. R. Khannah as Special Assistant with effect from 1-7-66 to 19th May, 1974 in terms of the provisions of Bipartite Settlement dated 19-10-66, which was received by the Central Government on 13-7-1979.

BEFORE SHRI MAHESH CHANDRA, PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, NEW DELHI

I.D. No. 30 of 1979

In re :

The Secretary,
Chartered Bank Employees' Union,
17, Parliament Street,
New Delhi

... Petitioner

Versus

The Manager,

Chartered Bank,
17, Parliament Street,
New Delhi.

... Respondent.

AWARD

The Central Government as appropriate Government vide its Order No. L-12012/77/78-D. II. A dated the 29th/31st May, 1979 made a reference to this Tribunal u/s 10 of the I.D. Act, 1947 :

"Whether the action of the Chartered Bank, New Delhi in not designating Shri D. R. Khannah as Special Asstt. with effect from 1-7-66 to 19th May, 1974 in terms of the provisions of Bipartite Settlement dated 19-10-66 is legal and Justified. If not, to what relief the said workman is entitled ?

2. On receipt of the reference usual notices were sent to the parties and before any statement of claim was filed by the workman, the parties appeared before me and stated that the parties have arrived at compromise and thereupon it was

ordered to be recorded in so far as it was beneficial for the workman. Statements of Shri D. N. Seth for the Union and Shri K. L. Sethi and L. D. Khannah for the Bank were recorded in which it is stated by them that the parties have settled this dispute vide Ex. S/1. A no dispute award be made."

3. In view of the statements recorded above, a no dispute award is hereby made in the reference and parties are left to bear their own costs.

MEMORANDUM OF SETTLEMENT

(Under the Industrial Disputes Act, 1947)

NAME OF PARTIES :

The Chartered Bank,
17, Parliament Street,
New Delhi-110001.

AND

Its Workman :

Shri D. R. Khannah as represented by The Chartered Bank Employees' Union, Delhi.

REPRESENTING EMPLOYERS :

Mr. J. M. Barker,
Manager.

REPRESENTING WORKMAN :

Mr. S. Ananthanarayanan,
President,
The Chartered Bank Employees' Union,
Delhi.

Mr. D. N. Seth,
Secretary,
The Chartered Bank Employees' Union,
Delhi.

The Chartered Bank Employees' Union, Delhi had raised an industrial dispute in respect of certain claim of Shri D. R. Khannah. The Management did not accede to the claim. With a view to settling the dispute amicably, discussions were held between the parties and a Settlement was reached on the following terms :—

Terms of Settlement

1. The Management agrees to pay a lump sum of Rs. 10,263.24 (Rupees ten thousand two hundred sixty three and paise twentyfour only) to Shri D. R. Khannah in full and final settlement of all his claims and dues arising out of the Industrial Dispute raised by the Chartered Bank Employees' Union on his behalf in connection with his being designated a permanent Special Assistant and for any other claim for services rendered upto and including the date of this settlement. The date of appointment of Shri D. R. Khannah as a Special Assistant shall for all purposes be taken as 20th May, 1974. It is agreed between the parties that the payment agreed to be made to Shri D. R. Khannah shall not create any precedent.

2. The appointment of special assistants shall continue to be governed by the provisions of the subsisting Settlements between the Management and the All India Chartered Bank Employees' Federation. It is expressly agreed that for the period upto and including the date of this Settlement, no workman shall claim special allowance for the duty namely checking of export bills for which Shri D. R. Khannah claimed special allowance and in respect of which this Settlement is reached.

3. This Settlement is a Settlement under Section 2(p) of the Industrial Disputes Act, 1947.

Signed this the 28th day of February, 1979 at New Delhi,

For & on behalf of the
Workman

For & on behalf of the
Management of
The Chartered Bank,
New Delhi.

Mr. S. Ananthanarayanan,
President, The Chartered
Bank Employees' Union,
Delhi.

Mr. J. M. Barker,
Manager.

Mr. D. N. Seth,
Secretary,
The Chartered Bank
Employees' Union,
Delhi.

WITNESSES :

1. Sd/- Illegible.
2. Sd/- Illegible.

MAHESH CHANDRA, Presiding Officer

[No. L-12012/77/78-D. II. A.]

S. K. MUKERJEE, Under Secy.

नई दिल्ली, 30 जून, 1979

कां० प्र० 2752—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के श्रम मंत्रालय की अधिसूचना सं० कां० प्र० 660, तारीख 16 फरवरी, 1978 के अनुक्रम में, इससे उपाध्याय अनुसूची में विनिर्दिष्ट इण्डियन आयल कारपोरेशन लिमिटेड, मुम्बई के कारखानों को, उक्त अधिनियम के प्रवर्तन से 1 जुलाई, 1978 से 30 जून, 1979 तक जिसके अन्तर्गत यह तारीख भी है, छूट देती है।

2. पूर्वापक्ष छूट को जहाँ निम्नलिखित है, अर्थात्—

(1) उक्त कारखाने का नियोजक, उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसमें इसके पश्चात् "उक्त अवधि" कहा गया है) ऐसी विवरणियाँ, ऐसे प्रारूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अर्वात उसे उक्त अवधि की बाबत देनी थी,

(2) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या निगम का इस निम्न प्राधिकृत कोई अन्य पदधारी—

(i) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि का बाबत दी गई किसी विवरणों की विशिष्टियों की स्थापित करने के प्रयोजनार्थ; या

(ii) यह अभिलिखित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा अपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गए थे या नहीं; या

(iii) यह अभिलिखित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिए गए उन फायदों को, जिसके प्रति-फलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नुकद में और वस्तुस्थिति में पाने का हकदार बना हुआ है या नहीं; या

(iv) यह अभिलिखित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के सम्बन्ध में अधिनियम के

उपबन्ध प्रवृत्त थे, ऐसे किन्हीं उपबन्धों का अनुपालन किया गया था या नहीं;

निम्नलिखित कार्य करने के लिए सशक्त होगा—

(क) प्रधान या अव्यवहित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है; या

(ख) ऐसे प्रधान या अव्यवहित नियोजक के अधिभोगाधीन किसी कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करने और उसके प्रभारी से यह अपेक्षा करने के लिए कि वह व्यक्तियों के नियोजन और मजदूरी के संघर्ष से सम्बन्धित ऐसे लेखा, बहियाँ और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने के, या उन्हें ऐसी जानकारी दे जिसे वे आवश्यक समझते हैं; या

(ग) प्रधान या अव्यवहित नियोजक की, उसके अधिकर्ता या सेवक की, या ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में उपस्थित हो या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्ति-युक्त कारण है कि वह कर्मचारी है, परीक्षा करना; या

(घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखा-बही या अन्य दस्तावेज की नकल तैयार करना या उससे उद्धरण लेना।

अनुसूची

क्रम सं०	राज्य या संघ	क्षेत्र का नाम	कारखाने का नाम
1	2	3	4
1.	आन्ध्र प्रदेश	विशाखापत्तनम	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), मलकापुरम इन्स्टालेशन, विशाखापत्तनम।
2.	आन्ध्र प्रदेश	सिकन्दराबाद	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), पोस्ट बाक्स सं० 1634, आर० आर० सी० ग्राउण्ड, सिकन्दराबाद।
3.	आन्ध्र प्रदेश	विजयवाड़ा	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), स्टेशन रोड, विजयवाड़ा।
4.	आन्ध्र प्रदेश	सिकन्दराबाद-14	इण्डियन आयल कारपोरेशन लिमिटेड, विमानन ईंधन स्टेशन, डाकघर हाकिमपेट, वायु सेना स्टेशन, सिकन्दराबाद-14।
5.	दिल्ली	दिल्ली	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), एल० पी० जी० बार्टलिंग प्लॉट, शकूरबस्ती दिल्ली-26।
6.	दिल्ली	दिल्ली	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), शिवाजी पार्क के सामने, शकूरबस्ती, दिल्ली-26।

1	2	3	4
7.	दिल्ली	दिल्ली	इण्डियन आयल कारपोरेशन लिमिटेड, विमानन ईंधन स्टेशन, मवर बाजार रोड, मोरी लाइन के पास, पालम दिल्ली कैन्ट।
8.	केरल	कोचीन	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), पोस्ट बाक्स सं० 535, मिलिंगटन द्वीप, हारबर रोड, कोचीन-3।
9.	केरल	कोचीन	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), कोचीन परिष्करण प्रनिष्ठापन, पोस्ट बाक्स सं० 8, त्रिपुथ्रिय, ड्राग कोचीन।
10.	केरल	कोचीन	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), कर्मक रोड, पोस्ट बॉक्स 1759, एनक्रियम, कोचीन-6।
11.	तमिलनाडु	मद्रास	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), एनविहार्ड रोड, मद्रास।
12.	तमिलनाडु	मद्रास	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), कोरकूपेट, मद्रास-21।
13.	तमिलनाडु	मद्रास	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), नार्थ रेनवे टर्मिनस रोड, रोयापुरम, मद्रास।
14.	तमिलनाडु	मद्रास	इण्डियन आयल कारपोरेशन लिमिटेड, विमानन ईंधन स्टेशन, मीनानबक्कम हवाई अड्डा, मद्रास।
15.	तमिलनाडु	मद्रास	इण्डियन आयल कारपोरेशन लिमिटेड, ट्यूब बर्लिंग प्लॉट, घसेरे हार्ड रोड, नवीग्रवैट तोंड पाहा पोस्ट, मद्रास-81।
16.	महाराष्ट्र	मुम्बई	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), मरकारी फूड-ग्रेन्स गोदाम के पास, बावला, मुम्बई-31।
17.	महाराष्ट्र	मुम्बई	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), टाटा ताप विद्युत सयंत्र के पास, ट्राम्बे, कोरीडोर राई, मुम्बई-74।
18.	महाराष्ट्र	मुम्बई	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), मवारी रेलवे स्टेशन के पीछे, मुम्बई-15।
19.	महाराष्ट्र	पूना	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), राजबहादुर मोतीलाल रोड, पूना।
20.	महाराष्ट्र	मुम्बई	इण्डियन आयल कारपोरेशन लिमिटेड, विमानन ईंधन स्टेशन, मान्नाकूज विमान पत्तन, मुम्बई-29।

1	2	3	4	1	2	3	4
21. कर्नाटक	बंगलौर	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), नागदी रोड, पोस्ट बोग मं० 3, बंगलौर-23 ।		33 असम	गौहाटी	इण्डियन आयल कारपोरेशन लिमिटेड (विपणन प्रभाग), गौहाटी प्रति- ष्ठान, गौहाटी ।	
22. कर्नाटक	बंगलौर	इण्डियन आयल कारपोरेशन लिमिटेड, विमानन ईंधन स्टेशन, बंगलौर विमानन पत्तन, बंगलौर ।		34 बिहार	पटना	इण्डियन आयल कारपोरेशन लिमिटेड (विपणन प्रभाग), पटना प्रति- ष्ठान, पटना ।	
23. आन्ध्र प्रदेश	हैदराबाद	इण्डियन आयल कारपोरेशन लिमिटेड, विमानन ईंधन स्टेशन, बेगमपेट विमान पत्तन, हैदराबाद ।		35 उत्तर प्रदेश	आगरा	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), खरिया विमान क्षेत्र, आगरा-8 ।	
24. पंजाब	जालंधर	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), रेलवे गुरुम सिंह रोड, जालंधर ।		36. केरल	तूतीकोरिन	इण्डियन आयल कारपोरेशन लिमिटेड (विपणन प्रभाग), तूतीकोरिन प्रतिष्ठान, बन्दरगाह परियोजना परिसर, तूतीकोरिन-4 ।	
25. हरियाणा	अम्बाला छावनी	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), बल्क सेन्टर, अम्बाला छावनी ।		37 उड़ीसा	कटक	इण्डियन आयल कारपोरेशन लिमिटेड (विपणन प्रभाग), शिकापुर, पो० घा० चौलीयंज, कटक ।	
26. हरियाणा	हिसार	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), हिसार ।		38 गोवा	नाम्को-डी-गामा	इण्डियन आयल कारपोरेशन लिमिटेड (विपणन प्रभाग), नाम्को-डी-गामा गोवा ।	
27. उत्तर प्रदेश	कानपुर	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), अरमापुर, कानपुर ।		39 कर्नाटक	मंगलूर	इण्डियन आयल कारपोरेशन लिमिटेड (विपणन प्रभाग), मंगलूर प्रति- ष्ठान, मंगलूर ।	
28. महाराष्ट्र	नागपुर	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), मोती बाग, नागपुर ।		40 उत्तर प्रदेश	कानपुर	इण्डियन आयल कारपोरेशन लिमिटेड, (परिष्कारणी और वाइपलाइन्स प्रभाग) कानपुर स्टेशन, अरमापुर, कानपुर ।	
29. पश्चिमी बंगाल	कलकत्ता	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), राम-राम विमानन ईंधन स्टेशन, दम-दम विमान पत्तन, कलकत्ता ।					
30. पश्चिमी बंगाल	कलकत्ता	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग) मोरीबाम प्रति- ष्ठान, डाकघर राधादासी, जिला हाउस ।					
31. पश्चिमी बंगाल	पहाड़पुर	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), पहाड़पुर प्रति- ष्ठान, पश्चिमी बंगाल ।					
32. पश्चिमी बंगाल	24-परगना	इण्डियन आयल कारपोरेशन लिमिटेड, (विपणन प्रभाग), बज-बज प्रति- ष्ठान, डाकघर बाब-बज, 24- परगना, पश्चिमी बंगाल ।					

व्यावसायिक आपन

इन मामलों में पृथिवी प्रभाव ने छूट देना आवश्यक हो गई है, क्योंकि छूट के प्रस्ताव पर विचार करने में समय लगा । तथापि यह प्रमाणित किया जाता है कि जिन परिस्थितियों में कारखानों को आरम्भ में छूट दी गई थी, वे अभी भी विद्यमान हैं और कारखाना छूट का पात्र है । यह भी प्रमाणित किया जाता है कि पृथिवी प्रभाव से छूट देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा ।

[म० एम० 38014/30/78-एच० घाई०]

New Delhi, the 30th June, 1979

S.O. 2752. —In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour No. S.O. 660 dated the 16th February, 1978, the Central Government hereby exempts the factories, specified in the Schedule annexed hereto, belonging to the Indian Oil Corporation Limited, Bombay, from the operation of the said Act for a further period of one year with effect from 1st July, 1978 upto and inclusive of the 30th June, 1979.

2. The above exemption is subject to the following conditions, namely:—

- (1) The employer of the said factories shall submit in respect of the period during which the factories were subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulation, 1950;
- (2) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other Official of the Corporation authorised in this behalf shall, for the purposes of:—

(i) Verifying the particulars contained in any return submitted under the sub-section(1) of section 44 for the said period; or

- (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
- (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notifications; or
- (iv) ascertaining whether any of the provisions of the Act has been complied with during the period when such provisions were in force in relation to the said factory;

be empowered to, -

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or
- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or
- (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises.

SCHEDULE

Sl No.	Name of the State or Union Territory.	Name of Area	Name of factory
1	2	3	4
1.	Andhra Pradesh	Visakhapatnam-I	Indian Oil Corporation Limited (Marketing Division) Post Box No. 54, Malkapuram Installation Visakhapatnam-I.
2.	Andhra Pradesh	Secunderabad	Indian Oil Corporation Limited (Marketing Division) Post Box No. 1634, RRC Ground, Secunderabad.
3.	Andhra Pradesh	Vijaywada	Indian Oil Corporation Limited, (Marketing Division) Station Road, Vijayawada.
4.	Andhra Pradesh	Secunderabad-14	Indian Oil Corporation Limited, Aviation Fuel Station, Post Office Hakimpet Air Force Station, Secunderabad-14.
5.	Delhi	Delhi	Indian Oil Corporation Ltd. (Marketing Division) L.P.G. Bottling Plant Shakurbasti, Delhi-26.
6.	Delhi	Delhi	Indian Oil Corporation Limited, (Marketing Division), Opposite Sivaji Park, Shakurbasti, Delhi-26.
7.	Delhi	Delhi	Indian Oil Corporation Limited Aviation Fuel Station, Sadar Bazar Road, Near More Line, Palam, Delhi Cantt-10.
8.	Kerala	Cochin	Indian Oil Corporation Limited, (Marketing Division) Post Box No. 535, Willington Island, Harbour Road, Cochin-3.
9.	Kerala	Cochin	Indian Oil Corporation Limited, (Marketing Division), Cochin Refinery Installation, Post Box No. 8, Tripunithi Via Cochin.
10.	Kerala	Cochin	Indian Oil Corporation Limited, (Marketing Division), Karshaka Road, Post Bag 1759, Ernakulam, Cochin-6.
11.	Tamil Nadu	Madras	Indian Oil Corporation Limited, (Marketing Division), Errode High Road, Madras.
12.	Tamil Nadu	Madras	Indian Oil Corporation Limited, (Marketing Division), Korukupet, Madras-21.
13.	Tamil Nadu	Madras	Indian Oil Corporation Limited, (Marketing Division), North Railway Terminus Road, Royapuram, Madras.
14.	Tamil Nadu	Madras	Indian Oil Corporation Limited, Aviation Fuel Station, Meenambakkam Airport, Madras.
15.	Tamil Nadu	Madras	Indian Oil Corporation Limited, Tube Blending Plant, Ennore High Road, Teniarpet Tiruvethiyur Post, Madras-81.

1	2	3	4
16.	Maharashtra	Bombay	Indian Oil Corporation Limited, (Marketing Division), Near Government Food Grains Godowns, Wadala, Bombay-31.
17.	Maharashtra	Bombay	Indian Oil Corporation Limited, (Marketing Division), Near Tata Thermal Power Plant, Trombay, Corridor Road, Bombay-74.
18.	Maharashtra	Bombay	Indian Oil Corporation Limited, (Marketing Division), Opposite Sewaice Railway Station, Bombay-15.
19.	Maharashtra	Poona	Indian Oil Corporation Limited, (Marketing Division), Rajabhadur Motilal Road, Poona.
20.	Maharashtra	Bombay	Indian Oil Corporation Limited, Aviation Fuel Station Santa Cruze Airport, Bombay-29.
21.	Karnataka	Bangalore	Indian Oil Corporation Limited, (Marketing Division) Nagadi Road, Post Bag No. 3, Bangalore-23.
22.	Karnataka	Bangalore	Indian Oil Corporation Limited, Aviation Fuel Station, Bangalore Airport, Bangalore.
23.	Andhra Pradesh	Hyderabad	Indian Oil Corporation Limited, Aviation Fuel Station, Begumpet Airport, Hyderabad.
24.	Punjab	Jullundur	Indian Oil Corporation Ltd., (Marketing Division) Railway Go Shed Road, Jullundur.
25.	Haryana	Ambala Cantonment	Indian Oil Corporation Limited (Marketing Division) Bulk Centre Ambala, Cantonment.
26.	Haryana	Hissar	Indian Oil Corporation Limited, (Marketing Division) Hissar.
27.	Uttar Pradesh	Kanpur	Indian Oil Corporation Limited, (Marketing Division) Armapore, Kanpur.
28.	Maharashtra	Nagpur	Indian Oil Corporation Limited, (Marketing Division) Moti Bagh, Nagpur.
29.	West Bengal	Calcutta	Indian Oil Corporation Limited, (Marketing Division) Dum-Dum Aviation Fuel Station Dum-Dum Airport, Calcutta.
30.	West Bengal	Calcutta	Indian Oil Corporation Limited, (Marketing Division) Mourigram Installations, Post Office Radhadasi District, Howrah.
31.	West Bengal	Paharpur	Indian Oil Corporation Limited, (Marketing Division) Paharpur Installations, West Bengal.
32.	West Bengal	24 Parganas.	Indian Oil Corporation Limited (Marketing Division) Budge Budge Installations, Post Office, Budge Budge 24 Paraganas, West-Bengal.
33.	Assam	Gauhati	Indian Oil Corporation Limited (Marketing Division) Gauhati Installation, Gauhati.
34.	Bihar	Patna	Indian Oil Corporation Ltd. (Marketing Division) Patna Installation, Patna.
35.	Uttar Pradesh	Agra	Indian Oil Corporation Limited, (Marketing Division) Kheria Air Field, Agra-8.
36.	Kerala	Tuticorin	Indian Oil Corporation Limited, (Marketing Division), Tuticorin Installations' Harbour Project Premises, Tuticorin-4.
37.	Orissa	Cuttack	Indian Oil Corporation Limited, (Marketing Division), Shikapore, P.O. Chaulganj, Cuttack.
38.	Goa	Vasco-de-Gama	Indian Oil Corporation Limited, (Marketing Division), Vasco-de-Gama, Goa.
39.	Karnataka	Mangalore	Indian Oil Corporation Limited, (Marketing Division), Mangalore Installations, Mangalore.
40.	Uttar Pradesh	Kanpur	Indian Oil Corporation Limited, (Refineries and Pipe Lines Division) Kanpur I Station, Armapur Kanpur.

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the proposal for exemption took time. However, it is certified that the conditions under which the factory was initially granted exemption still persist and the factory is eligible for exemption. It is also certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

नई दिल्ली, 24 जुलाई, 1979

का० अा० 2783—गैसर्स राष्ट्रीय लघु उद्योग निगम लिमिटेड ओखला औद्योगिक अँड, नई दिल्ली-110020 (जिसे हमसे आगे उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे हमसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (1) के खण्ड (क) के अधीन छूट देने के लिए आवेदन किया है;

और केन्द्रीय सरकार की राय में अभिदाय की दरों की बाबत उक्त स्थापन के भविष्य निधि नियम उसके कर्मचारियों के लिए उन नियमों से कम अनुकूल नहीं हैं जो उक्त अधिनियम की धारा 6 में विनिर्दिष्ट हैं और कर्मचारी भविष्य निधि की अन्य प्रमुखियाएँ भी पा रहे हैं जो कर्मचारियों के लिए कुल मिलाकर उन प्रमुखियाओं से कम अनुकूल नहीं हैं, जो, उसी प्रकार के किसी अन्य स्थापन के कर्मचारियों के सम्बन्ध में, उक्त अधिनियम के अधीन और कर्मचारी भविष्य निधि स्कीम, 1952 (जिसे हमसे आगे उक्त स्कीम कहा गया है) के अधीन दी जाती है;

अतः, अब, उक्त अधिनियम की धारा 17 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इससे उपाबद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, केन्द्रीय सरकार उक्त स्थापन को उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1 उक्त स्थापना से सम्बद्ध नियोजक:—

- (i) प्रत्येक मास की समाप्ति से 15 दिन के भीतर निरीक्षणार्थ ऐसी सुविधाओं के लिए उपबन्ध करेगा और ऐसे निरीक्षण प्रसार देगा जो केन्द्रीय सरकार, समय-समय पर, उक्त अधिनियम की धारा 17 की उपधारा (3) के खण्ड (क) के अधीन निवेश करे;
- (ii) भविष्य निधि में किए गए अभिदायों के विनिर्धान के सम्बन्ध में उक्त अधिनियम की धारा 17 की उपधारा (3) के खण्ड (क) के अधीन केन्द्रीय सरकार द्वारा समय-समय पर जारी किए गए निर्देशों का पालन करेगा;
- (iii) हम बाबत सम्यक मासधानी बरनेगा कि उक्त स्थापन के सम्बन्ध में गठित न्यासी बोर्ड, भविष्य निधि में किए गए अभिदायों का विनिर्धान केन्द्रीय सरकार द्वारा समय-समय पर जारी किए गए निर्देशों के अनुसार करे और उक्त न्यासी बोर्ड द्वारा भविष्य निधि में किए गए अभिदाय के ऐसे विनिर्धान के लिए जिम्मेदार होगा;
- (iv) क्षेत्रीय भविष्य निधि आयुक्त, दिल्ली को ऐसी विवरणियाँ प्रस्तुत करेगा जैसी केन्द्रीय सरकार समय-समय पर निर्देश करे;
- (v) प्रत्येक कर्मचारी को वार्षिक लेखा विवरण या एक पानबुक देगा;
- (vi) भविष्य निधि के प्रशासन में, जिसके अन्तर्गत लेखा रक्खना, लेखा बहिया और विवरणियाँ पेश करना, संचित निधि का अन्तरण करना और निरीक्षण प्रभागों का संशय करना भी है, हुए सभी व्ययों को वहन करेगा;
- (vii) प्रत्येक सदन्य के लेखा में, प्रतिवर्ष ऐसी दरों पर ब्याज जमा करेगा जैसी न्यासी बोर्ड अवधारित करे और ऐसी दर केन्द्रीय सरकार द्वारा समय-समय पर अवधारित की गई दर से कम नहीं होगी;
- (viii) उक्त स्थापन के सूचना बोर्ड पर केन्द्रीय सरकार द्वारा यथा-अनुमोदित भविष्य निधि नियम और समय-समय पर उसमें किए गए संशोधनों की एक प्रति तथा उनकी प्रमुख बातों का अनुवाक भी बहुसंख्यक कर्मचारियों की भाषा में सप्रदर्शित करेगा;

(ix) यदि स्थापना के किसी ऐसे वर्ग के लिए, जिसमें उसका स्थापन आता है, उक्त अधिनियम के अधीन भविष्य निधि में अभिदाय की दर बढ़ा दी जाती है ता वह भविष्य निधि में अभिदाय की दर से उतनी ही वृद्धि कर देगा जिससे कि उक्त स्थापन की भविष्य निधि स्कीम के अधीन कायदा उतने से कम न हो जाए जितना उक्त अधिनियम के अधीन उप-वर्धित है।

(X) प्रतिवर्ष क्षेत्रीय भविष्य निधि आयुक्त दिल्ली का अपनी भविष्य निधि का एक लेखा-परीक्षण तुलनपत्र वर्ष की समाप्ति से तीन मास के भीतर प्रस्तुत करेगा।

2 यदि ऐसे किसी कर्मचारी का, जो उक्त अधिनियम के अधीन कर्मचारी भविष्य निधि या उक्त स्कीम (कानूनी) निधि या किसी अन्य छूट प्राप्त स्थापन की भविष्य निधि के अधीन कर्मचारी भविष्य निधि का पहले से ही सदस्य है, स्थापन में नियोजित किया जाता है तो नियोजक उसे उक्त स्थापन की भविष्य निधि का तुरन्त सदस्य बना लेगा और ऐसे कर्मचारी की बाबत पिछले संचयों का स्वीकार करेगा और उन्हें उसके खाते में जमा करेगा।

3 उक्त स्थापन की भविष्य निधि नियमों में कोई भी संशोधन, क्षेत्रीय भविष्य निधि आयुक्त, दिल्ली के पूर्व अनुमोदन के बिना नहीं किया जाएगा और यदि किसी संशोधन में स्थापन के किसी कर्मचारी के हित पर प्रतिकूल प्रभाव पड़ने की सम्भावना है तो क्षेत्रीय भविष्य निधि आयुक्त, दिल्ली अपना अनुमोदन देने से पूर्व, कर्मचारियों को अपना वृष्टिकोण प्रकट करने का उचित अवसर देगा।

[सं० एम० 35014(48)/79-पी० एफ०-2]

New Delhi, the 25th July, 1979

S.O. 2753.—Whereas Messrs The National Small Industries Corporation Ltd., Okhla Industrial Estate, New Delhi-110020 (hereinafter referred to as the said establishment) has applied for exemption under clause (a) of sub-section (1) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) hereinafter referred to as the said Act;

And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable than those specified in section 6 of the said Act, and the employees are also in enjoyment of other provident fund benefits which on the whole are not less favourable to the employees than the benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the said Scheme) in relation to the employees in any other establishment of a similar character;

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of section 17 of the said Act, and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme.

SCHEDULE

1. The employer in relation to the said establishment:—

- (i) shall provide for such facilities for inspection and pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3) of section 17 of the said Act 15 days from the close of every month;
- (ii) shall comply with the directions issued by the Central Government, from time to time, under clause (a) of sub-section (3) of section 17 of the said Act in regard to the investment of contributions to the provident fund;

- (iii) shall take due care to see that the Board of Trustees constituted in respect of the said establishment invest the contributions to the provident fund in accordance with the directions issued by the Central Government, from time to time, and shall be responsible for such investment of the contributions to the provident fund by the said Board of Trustees;
- (iv) shall submit such returns to the Regional Provident Fund Commissioner, Delhi as the Central Government may, from time to time, direct;
- (v) shall furnish to each employee an annual statement of account or a Pass Book;
- (vi) shall bear all expenses involved in the administration of the provident fund including the maintenance of accounts, submission of accounts and returns, transfer of accumulations and payment of inspection charges;
- (vii) shall credit, every year to the account of each member interest at such rates as may be determined by the Board of Trustees, and such rate shall not be less than the one determined by the Central Government from time to time;
- (viii) shall display on the notice board of the said establishment a copy of the rules of the provident fund as approved by the Central Government and, as and when amended, the amendments thereto, along with a translation of the salient points thereof in the language of the majority of the employees;
- (ix) shall enhance the rate of contributions to the provident fund appropriately if such rate for the class of establishment in which his establishment falls is enhanced under the said Act so that the benefits under the provident fund scheme of the said establishment shall not become less favourable than the benefit provided under the said Act;
- (x) shall submit an audited balance sheet of its provident fund every year to the Regional Provident Fund Commissioner, Delhi within three months of the close of the year.

2. Where an employee who is already a member of the Employees' provident fund under the said Act or the said Scheme (Statutory Fund) or the provident fund of another exempted establishment is employed in establishment the employer shall immediately enrol him as a member of the provident fund of the said establishment, and accept the past accumulations in respect of such employee and credit the same to his account.

3. No amendment of the rules of the provident fund of the said establishment shall be made without the previous approval of the Regional Provident Fund Commissioner, Delhi and where any amendment is likely to affect adversely the interests of the employees of the said establishment, the Regional Provident Fund Commissioner, Delhi shall, before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

[No. S-35014(48)/79-PF-II]

का०अ० 2754—केन्द्रीय सरकार का समाधान हो गया है कि भारत सरकार के पर्यटन और सिविल विमानन मंत्रालय के भारतीय मौसम कारखाना, पूना के कर्मचारियों को भारत उसी प्रकार की प्रसुविधाएं अन्य रूप में प्राप्त हैं जैसी कि कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) के अधीन उपबन्धित हैं;

धन, अथवा, केन्द्रीय सरकार, उक्त अधिनियम की धारा 91-क के माब पठित धारा 90 द्वारा प्रदत्त शक्तियों का प्रयोग करने शुरू कर्मचारी राज्य बीमा निगम से परामर्श करने के पश्चात्, भारतीय मौसम कारखाना, पूना को तारीख 15 अगस्त, 1965 से 24 अगस्त, 1973 तक की, जिसमें यह तारीख भी सम्मिलित हैं, अवधि के लिए, उक्त अधिनियम के प्रवर्तन से छूट देती है।

2. उक्त छूट की नीचे विस्तारित है, अर्थात्—

- (1) उक्त कारखाने का निराकरण, या संपत्ति का बाबत विगत दोस्त वर कारखाना उक्त अधिनियम के प्रवर्तन के अधीन था (जिसे इसमें इसके पश्चात् "उक्त अधि" कहा गया है), ऐसी विवरणियां, ऐसे प्रपत्र में और ऐसी विशिष्टियां सहित, देया जो कर्मचारी राज्य बीमा (असाधारण) विनियम, 1950 के अधीन उसे उक्त अधि की बाबत देनी थी,
- (2) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी—
- (1) धारा 44 की उपधारा (1) के अधीन, उक्त अधि की बाबत दी गई किसी विवरणी की विशिष्टियों को सत्यापित करने के प्रयोजनार्थ; या
- (2) यह अभिलिखित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख, उक्त अधि के लिए रखे गए थे या नहीं, या
- (3) यह अभिलिखित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दी गई उन प्रसुविधाओं को, जिसके प्रतिफलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं, या
- (4) यह अभिलिखित करने के प्रयोजनार्थ कि उस अधि के दौरान, जब उक्त कारखाने के सम्बन्ध में अधिनियम के उपबन्ध प्रवृत्त थे, ऐसे किसी उपबन्ध का अनुपालन किया गया था या नहीं;

निम्नलिखित कार्य करने के लिए मशकत होगा—

- (क) प्रधान या अध्यक्षित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरीक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है, या
- (ख) ऐसे प्रधान या अध्यक्षित नियोजक के अधिभोगाधीन किसी कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजूदरी के संदाय से सम्बन्धित ऐसे लेखा, बहिया और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करे और उनकी परीक्षा करने दे, या उन्हें ऐसी जानकारी दे जिसे वे आवश्यक समझते हैं, या
- (ग) प्रधान या अध्यक्षित नियोजक की, उसके अधिकर्ता या सेवक की, या ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का बुद्धिमान कारण है कि वह कर्मचारी है, परीक्षा करना; या
- (घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखा बही या अन्य दस्तावेज की नकल तैयार करना या उसमें उद्घरण लेना।

व्यावसायिक जापन

इस मामले में पूर्वोक्ती प्रभाव से छूट देनी आवश्यक हो गई है क्योंकि छूट के लिए आवेदन-पत्र देर से प्राप्त हुआ था। तथापि, यह

प्रमाणित किया जाता है कि कारखाना छूट का पात्र है। यह भी प्रमाणित किया जाता है कि पूर्वपिछी प्रभाव से छूट देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

[सं. एम० 38019/4/75-एच०आई०]

S.O. 2754. Whereas the Central Government is satisfied that the employees of the India Meteorological Workshop, Poona belonging to the Government of India in the Ministry of Tourism and Civil Aviation are otherwise in receipt of benefits substantially similar to the benefits provided under the Employees' State Insurance Act, 1948 (34 of 1948).

Now, therefore, in exercise of the powers conferred by section 90 read with section 91A of the said Act, the Central Government, after consultation with the Employees' State Insurance Corporation, hereby exempts the India Meteorological Workshop, Poona from the operation of the said Act for the period from the 15th August, 1965 upto and inclusive of the 24th August, 1973.

2. The above exemption is subject to the following conditions, namely :—

- (1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;
- (2) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other Official of the Corporation authorised in this behalf shall, for the purposes of—
 - (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period; or
 - (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
 - (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
 - (iv) ascertaining whether any of the provisions of the Act has been complied with during the period when such provisions were in force in relation to the said factory;

be empowered to—

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found incharge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or
- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or
- (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises.

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case, as the request for exemption was received late. However, it is certified that the factory is eligible for exemption. It is also certified that grant of exemption with retrospective effect will not affect the interest of anybody adversely.

[No. S-38019/4/75-HI]

का० आ० 2755 —केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स युनाइटेड एंड पेन्ट्स एंड केमिकल्स, न्यू जेसोर रोड, दोल्ला देहरीया, जिला 24-पारगना, पश्चिम बंगाल, जिसके अंतर्गत 101/8 एम० एन० बनेजी रोड, कलकत्ता-14 स्थित उसका प्रधान कार्यालय भी है, नामक स्थापन से संबंधित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं. एम० 35019 (27)/79-पी० एफ०-2]

S.O. 2755.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs United Paints and Chemicals, New Jessore Road, Dottala Deharia, District 24-Parganas, West Bengal including its Head Office at 101/8, S. N. Banerjee Road, Calcutta-14, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1978.

[No. S-35017/27/79-PF. II]

का०आ० 2756 —केन्द्रीय सरकार को यह प्रतीत है कि मैसर्स गिरधारी लाल एण्ड कम्पनी, 55/9-10, बिप्लबी रास बिहारी बसु मार्ग, कलकत्ता-700001, नामक स्थापन से संबंधित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं. एम०-35017(28)/79-पी० एफ० II]

S.O. 2756.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Girdharilal and Company, 55/9-10, Biplabi Rash Behari Basu Road, Calcutta-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central

Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1978.

[No. S-35017/28/79-PF. II]

कां.प्र. 2757.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स हिन्दी टूल्स एंड ऐसिलरीस, 14/बी, दमदम रोड, कलकत्ता-74; नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अगस्त, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं. एम० 35017(29)/79 पी० एफ०-2]

S.O. 2757.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Hindi Tools and Ancillaries, 14/B, Dum Dum Road, Calcutta-74, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of August, 1977.

[No. S. 35017/29/79-PF. II]

कां.प्र. 2758.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जी० पी० अग्रवाल एंड एसोसिएट्स, 7, किरन शंकर राय रोड, कलकत्ता-1, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं. एस०-35017(30)/79-पी० एफ०-2]

S.O. 2758.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs G. P. Agarwal and Associates, 7, Kiron Shankar Roy Road, Calcutta-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1978

[No. S. 35017 30/79-PF. II]

कां.प्र. 2759.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एयरपोर्ट होटल, 28 जेसोरे रोड, दमदम कलकत्ता-700052 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध के अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 दिसम्बर, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं. एस०-35017(31)/79-पी० एफ० II]

S.O. 2759.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Airport Hotel, 28 Jessore Road, Dum Dum, Calcutta-52, have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of December, 1977.

[No. S. 35017 (31)/79-PF-II]

कां.प्र. 2760.—केन्द्रीय सरकार को यह प्रतीत होता है, कि मैसर्स क्वालिटी फार्मस्यूटिकल्स (प्राइवेट) लिमिटेड, 106, बंगूर एवेन्यू, ब्लॉक-सी कलकत्ता-55, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं. एस०-35017(32)/79-पी० एफ०-2]

S.O. 2760.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Quality Pharmaceutical (Private) Limited, 106, Bangur Avenue, Block-C, Calcutta-55, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force the first day of April, 1978.

[No. S. 35017/32/79-PF. II]

कां.प्र. 2761.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एच० डी० सी० इन्टेंशनल, "19 जो एबरेस्ट" 48 सी०, जवाहर लाल नेहरू रोड, कलकत्ता-71, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 गितम्बर, 1978 का प्रवृत्त हुई समझी जाएगी।

[सं. एस०-35017(33)/79-पी० एफ०-2(i)]

S.O. 2761.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs H.D.C. International, "19 G Everest" 46 C, Jawahar Lal Nehru Road, Calcutta-71, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of September, 1978.

[No. S. 35017/33/79-P.F. II(ii)]

का०आ० 2762.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संबद्ध विषय में आवश्यक जांच करने के पश्चात् 1 गितम्बर, 1978 से सैसर्स एच० डी० सी०, इन्टरनेशनल "19 जी० एवरेस्ट" 46 सी०, जवाहर लाल नेहरू रोड कलकत्ता-71, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस०-35017(33)/79-पी० एफ०-2(2)]

S.O. 2762.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of September, 1978 the establishment known as Messrs H.D.C. International "19 G Everest" 46 C, Jawahar Lal Nehru Road, Calcutta-71, for the purposes of the said proviso.

[No. S. 35017/33/79-PF.II (ii)]

का०आ० 2763.—केन्द्रीय सरकार को यह प्रतीत होता है कि सैसर्स श्री पद्मा केमिकल्स (प्राइवेट) लिमिटेड, 9-बी०/1, एम० आइ० डी० सी० क्षेत्र, कल्याण भिवाडी मार्ग, डाकघर सरावती, बरास्ता कल्याण जिला थाने (महाराष्ट्र) जिसके अन्तर्गत नव भारत केन्द्र, 13वीं मंजिल, 17-कूपरेज मार्ग, मुम्बई-400039 स्थित उसका प्रधान कार्यालय भी है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1979 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35018(729)/79-पी० एफ० II(i)]

S.O. 2763. Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Shree Padma Chemicals (Private) Limited, 9-B/1, MIDC Area, Kalyan Bhiwandi Road, Post Office Sarvati, via Kalyan including its Head Office at New India Centre, 13th Floor, 17 Cooperage Road, Bombay-39 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1979.

[No. S. 35018/72/79-PF.II (i)]

का०आ० 2764.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संबद्ध विषय में आवश्यक जांच करने के पश्चात् 1 जनवरी, 1979 से सैसर्स श्री पद्मा केमिकल्स (प्राइवेट) लिमिटेड, 9-बी०/1, एम० आइ० डी० सी० क्षेत्र, कल्याण भिवाडी मार्ग, डाकघर सरावती, बरास्ता कल्याण, जिला थाने (महाराष्ट्र) जिसके अन्तर्गत नव भारत केन्द्र, 13 वीं मंजिल, 17, कूपरेज मार्ग, मुम्बई-400039 स्थित उसका प्रधान कार्यालय भी है, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[का० सं० एस०-35018(73)/79-पी० एफ० II]

S.O. 2764.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of January, 1979 the establishment known as Messrs Shree Padma Chemicals (Private) Limited, 9-B/1, MIDC Area, Kalyan Bhiwandi Road, Post Office Saravati, via Kalyan including its Head Office at New India Centre, 12th Floor, 17, Cooperage Road, Bombay-39, for the purposes of the said proviso.

[No.S. 35018/72/79-PF. II (ii)]

का०आ० 2765.—केन्द्रीय सरकार को यह प्रतीत होता है कि सैसर्स हिन्द इन्डस्ट्रीस, जगजीवन दास कंपनी लिमिटेड कम्पाउण्ड, चन्दनसार रोड, विरार (पूर्व) तहसील वरई, जिला थाने, पश्चिमी रेलवे, जिसके अन्तर्गत 15 बड़ा, मन्दिर, गोशाला, मृतीय भोइवाड़ा, मुम्बई-400002 स्थित उसका प्रधान कार्यालय भी है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952, (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 जुलाई, 1978 को प्रवृत्त हुई समझी जाएगी

[सं० एस० 35018(73)/79 पी० एफ० II]

S.O. 2765.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Hind Industries, Jagjivandas Co's Compound, Chandansar Road, Virar (East), Tal, Vasai, District Thane, Western Railway including its Head Office at 15, Bada Mandir, Gaushala, 3rd Bhoiwada, Bombay-2, have agreed that the provisions of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of July, 1978.

[No. S. 35018/73/79-PF.II]

का०आ० 2766.—केन्द्रीय सरकार को यह प्रतीत होता है कि सैसर्स टेक्नोक्राफ्ट कार्पोरेशन, प्लॉट ए-25, एम० आइ० डी० सी० मरोल औद्योगिक क्षेत्र, धनोदरी (पूर्व), मुम्बई-400093, नामक स्थापन से सम्बद्ध

नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारियों भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 नवम्बर, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं. एम-35018(74)/79-पी० एफ० II]

S.O. 2766.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Technocraft Corporation, Plot A-25, M. I. D. C. Marol Industrial Area, Andheri (East), Bombay-93, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of November, 1978.

[No. S. 35018/74, 79-PF.II]

का०आ० 2767.—केन्द्रीय सरकार का यह प्रतीत होता है कि मैसेस श्री सद्गुरु रीफ्रेशमेंट्स, दिनबाई बिल्डिंग, केव्स रोड, जगेश्वरी (पूर्व), मुम्बई-400060 नामक स्थापन से संबद्ध नियोजक और कर्मचारियों का बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारियों भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 नवम्बर, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं. एम-35018/75/79 पी० एफ० II]

S.O. 2767.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Shree Sad-guru Refreshments, Dinbai Building, Caves Road, Jageshwari (East), Bombay-60, have agreed that the provisions of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of November, 1978.

[No. S. 35018/75/79IPF.II]

का०आ० 2768.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस रिलाय बिल सेटल इन्डस्ट्रीस, अथर्वी एस्टेट मोघा पड़ा, नागवाम मार्ग के पारे, धर्मेश्वरी (पूर्व), मुम्बई-400069 नामक स्थापन से संबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारियों भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी 1978 को प्रवृत्त हुई समझी जाएगी।

[सं. एम-35018 (76) 79-पी० एफ० II]

S.O. 2768.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Reliable Metal Industries, Tushice Estate, Mogra Pada, Off Nagaradas Road, Andheri (East), Bombay-69, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1978.

[No. S. 35018/76/79-PF.II]

का०आ० 2769.—केन्द्रीय सरकार का यह प्रतीत होता है कि मैसेस डीजल (इंडिया) सं० 2, लालबाग फोर्ट रोड पोस्टबॉक्स सं० 403, बंगलूर-4 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारियों भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 अक्टूबर, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं. एम-35019 (94)/79-पी० एफ० II]

S.O. 2769. Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Diesel (India), No. 2, Lalbagh Fort Road, Post Box No. 403, Bangalore-4, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of October, 1978.

[No. S. 35019/94/79-PF.II]

का०आ० 2770.—केन्द्रीय सरकार का यह प्रतीत होता है कि मैसेस बेल्टूल्स, सी 14 सरकारी औद्योगिक संपदा, बेल्गाम-8, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारियों भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 नवम्बर, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं. एम-35019(103)/79-पी० एफ० II]

S.O. 2770.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Beltools, C-14, Government Industrial Estate, Belgam-8, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of November, 1978.

[No. S. 35019/103/79-PF.II]

का० प्र० 2771.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जयश्री नर्सिंग होम, के० एम० धार० रोड मंगलूर-1 जिसके अन्तर्गत मन्ना-गुट्टा, मंगलूर स्थित उसकी शाखा भी है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों को बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1 अक्टूबर, 1978 को प्रवृत्त हुई समझी जाएगी ।

[सं० एम० 35019/104/97-पी० एफ० II]

S.O. 2771.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Jayashree Nursing Home, K. S. R. Road, Mangalore-1 including its branch at Mannagudda, Mangalore, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of October, 1978.

[No. S 35019/104/79-PF.II]

का० प्र० 2772.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स रेडिंग एंड साइबरनेटिक्स (प्राइवेट) लिमिटेड सोमजीगुदे, हैबराबाद, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों को बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 31 दिसम्बर, 1978 को प्रवृत्त हुई समझी जाएगी ।

[सं० एस-35018/105/79-पी० एफ० II]

S.O. 2772.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Rading and Cybernetics (Private) Limited, Somajigude, Hyderabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of December, 1978.

[No. S. 35018/105/79-PF.II]

का० प्र० 2773.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जमशेदपुर इंजीनियरिंग वर्क्स, स्टेट माइल रोड 117-ए, नई बारहद्वारी जमशेदपुर, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों को बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1 अप्रैल, 1979 को प्रवृत्त हुई समझी जाएगी ।

[सं० एस-35019/106/79-पी० एफ० II (i)]

S.O. 2773. Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Jamshedpur Engineering Works, Straight Mile Road, 117A, New Baradwari, Jamshedpur, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1979.

[No. S. 35019/106/79-PF.II (i)]

का० प्र० 2774.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में प्रावश्यक जांच करने के पश्चात् 1 अप्रैल, 1979 से मैसर्स जमशेदपुर इंजीनियरिंग वर्क्स, स्टेट माइल रोड 117 ए, नई बारहद्वारी, जमशेदपुर, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है ;

[सं० एस-35019/106/79-पी० एफ० II (ii)]

S.O. 2774.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of April, 1979 the establishment known as Messrs Jamshedpur Engineering Works, Straight Mile Road, 117A, New Baradwari, Jamshedpur, for the purposes of the said proviso.

[No. S. 35019/106/79-PF.II (ii)]

का० प्र० 2775.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स भारत एंटरप्राइजेज, 6 सी० एच० क्षेत्र, पूर्व जमशेदपुर-1, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों को बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1 जून, 1979 को प्रवृत्त हुई समझी जाएगी ।

[सं० एस-35019/108/79-पी० एफ० II (i)]

S.O. 2775.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Bharat Enterprises, 6. C. H. Area East, Jamshedpur-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of June, 1979.

[No. S. 35019/108/79-PF-II (i)]

का० आ० 2776.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संलग्न विषय में आवश्यक जांच करने के पश्चात् 1 जून, 1979 से मैसर्स भारत एन्टरप्राइजेस, 6-सी० एच० क्षेत्र पूर्व जमशेदपुर-1 मानक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिश्चित करती है।

[का० सं० एम-35019/108/79-पी० एफ०-II (ii)]

S.O. 2776.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of June, 1979 the establishment known as Messrs Bharat Enterprises, 6. C. H. Area, East, Jamshedpur-1, for the purposes of the said proviso.

[No. S. 35019/108/79-PF-II (ii)]

का० आ० 2777.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स शर्मा एण्ड कम्पनी, तुमदाहा, गोविन्दपुर, जिला धनबाद नामक स्थापन में सम्बद्ध नियोजक और कर्मचारियों को बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मार्च, 1979 को प्रवृत्त हुई समझी जाएगी।

[सं० एम-35019/109/79-पी० एफ० II (i)]

S.O. 2777.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sharma and Company, Tumadaha, Govindpur, District Dhanbad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of March, 1979.

[No. S. 35019/109/79-PF-II (i)]

का० आ० 2778.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए संलग्न विषय में आवश्यक जांच करने के पश्चात् 1 मार्च, 1979 से मैसर्स शर्मा एण्ड कम्पनी तुमदाहा, गोविन्दपुर, जिला धनबाद, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिश्चित करती है।

[का० सं० एम-35019/109/79-पी० एफ० II (ii)]

S.O. 2778.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of March, 1979, the establishment known as Messrs Sharma and Company, Tumadaha, Govindpur, District Dhanbad for the purposes of the said proviso.

[No. S. 35019/109/79-PF-II (ii)]

का० आ० 2779.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स व्यावसाय सेवा सहकार संघ त्यामिठा, पाण्डवपुर, माण्ड्या जिला, नामक स्थापन में सम्बद्ध नियोजक और कर्मचारियों को बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम

1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मार्च, 1979 को प्रवृत्त हुई समझी जाएगी।

[सं० एम-35019/227/78 पी० एफ० II]

S.O. 2779.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Vyavasaya Seva Sahakara Sangh Niyamitha, Pandavapur, Mandya District have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May, 1978.

[No. S. 35019/227/78-PF-II]

नई दिल्ली, 26 जुलाई, 1979

का० आ० 2780.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार श्रम मंत्रालय की अधिसूचना संख्या का० आ० 2371 तारीख 2 अगस्त, 1978 के क्रम में कर्मचारी राज्य बीमा निगम से परामर्श करने के पश्चात् भारत इन्वैस्टमेंट्स लिमिटेड, गाजियाबाद को जो भारत सरकार के रक्षा मंत्रालय के अधीन सरकारी क्षेत्र उपक्रम है, उक्त अधिनियम के प्रवर्तन से 1 जुलाई, 1979 से 30 जून, 1980 तक, जिसमें यह तारीख भी सम्मिलित है, को एक वर्ष की अवधि के लिए छूट देती है।

2 प्रतीक छूट की शर्तें निम्नलिखित हैं, अर्थात्—

(1) उक्त कारखाने का नियोजक, उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसमें इसके पश्चात् 'उक्त अवधि' कहा गया है), ऐसी विवरणियाँ, ऐसे प्रारूप में और ऐसी विधिस्थितियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी ;

(2) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन निपटू किया गया कोई निरीक्षक, या निगम का इस निमित्त प्राधिकृत कोई अन्य पदाधिकारी—

(1) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी की विधिस्थितियों को सत्यापित करने के प्रयोजनार्थ; या

(2) यह अधिनियमित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख का, उक्त अवधि के लिए रखे गए थे या नहीं, या

(3) यह अधिनियमित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिए गए उन फायदों को, जिसके प्रतिकरस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं; या

(1) यह अधिनियमित करने के प्रयोजनार्थ कि उस पत्र के दौरान जब रक्षा कारखाने के मन्त्रालय के अधिनियम के अन्तर्गत, ऐसे किसी उपबन्ध का अनुपालन किया गया था या नहीं; निम्नलिखित कार्य करने के लिए मन्त्रालय द्वारा—

- (क) प्रधान या अव्यवहित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरान्त निरीक्षक या अन्य पदधारी आवश्यक समझता है, या
- (ख) ऐसे प्रधान या अव्यवहित नियोजक के अधिभागार्थी किसी कारखाने, स्थापन, कार्यालय या अन्य परिमर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के सम्बन्ध से सम्बंधित ऐसे लेखा, बहियाँ और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करे और उनकी परीक्षा करने दे, या उन्हें ऐसी जानकारी दे जिसे वे आवश्यक समझते हैं; या
- (ग) प्रधान या अव्यवहित नियोजक की, उसके अधिकर्ता या सेवक की, या ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिमर में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना; या
- (घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिमर में रखे गए किसी रजिस्टर, लेखाबारी या अन्य दस्तावेज की तत्काल तैयार करना या उसके पदधरण लेना।

व्याख्यात्मक शायन

इस मामले में पूर्वापेक्षी प्रभाव से छूट देनी, आवश्यक हो गई है। क्योंकि छूट के लिए प्रार्थना पत्र पर कार्रवाई करने में समय लगा। तथापि, यह प्रमाणित किया जाता है कि कारखाना छूट का पात्र है। यह भी प्रमाणित किया जाता है कि पूर्वापेक्षी प्रभाव से छूट देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

[सं० एन-38014/34/78-एन० आई०]

New Delhi, the 26th July, 1979

S.O. 2780.—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour No. S.O. 2371 dated the 2nd August, 1978 the Central Government, after consultation with the Employees' State Insurance Corporation hereby exempts Bharat Electronics Limited, Ghaziabad, a public Sector Undertaking under the Ministry of Defence from the operation of the said Act for a further period from the 1st July, 1979 upto and inclusive of the 30th June, 1980.

2. The above exemption is subject to the following conditions, namely :—

- (1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;
- (2) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other Official of the Corporation authorised in this behalf shall, for the purposes of—
 - (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period; or
 - (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or

(iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or

(iv) ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory

be empowered to—

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages, or to furnish to him such information as he may consider necessary;
- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or
- (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises.

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the application for exemption took time. However, it is certified that the factory is eligible for exemption. It is also certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

[No. S. 38014/34/78-HI]

नई दिल्ली, 30 जुलाई, 1979

का० प्रा० 2781.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 58 की उपधारा (6) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देती है कि पूर्वोक्त अधिनियम की धारा 58 की उपधारा (2) या उपधारा (1) के अधीन नियुक्त आयुक्तों के लिए सेवा की शर्तों के विनियमों के बनावे जाने तक, पूर्व उल्लिखित अधिकारियों के सेवा की शर्तों से सम्बंधित मामले, यावत्साध्य, कर्मचारी भविष्य निधि (कर्मचारिभृन्द और सेवा की शर्तों) विनियम, 1962 में समाविष्ट सुसंगत उपबन्धों के अनुसार विनियमित किए जाएंगे।

[सं० एन-12018 (5) /78—पी एफ 1]

New Delhi, the 30th July, 1979

S.O. 2781.—In exercise of the powers conferred by sub-section (6) of section 5D of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby directs that pending the framing of conditions of service regulations for the Commissioners appointed under sub-section (1) or sub-section (2) of section 5D of the aforesaid Act, the matters concerning the aforementioned officer in regard to conditions of service shall, as far as may be, be regulated in accordance with the relevant provisions contained in the Employees' Provident Fund (Staff and Conditions of Service) Regulations, 1962.

[No. A. 12018(5)/78-PF]

नई दिल्ली, 31 जुलाई, 1979

का० अ० 2782.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 16 के अनुसरण से केन्द्रीय सरकार डा० वी० एम० चरनालिया, चिकित्सा आयुक्त, कर्मचारी राज्य बीमा निगम को अपने कार्यभार के प्रतिरिक्त 27 जुलाई, 1979 के पूर्वार्द्ध से महानिदेशक, कर्मचारी राज्य बीमा निगम के पद के वर्तमान कार्यों की देखभाल के लिए उक्त पद के नियमित रूप से भरे जाने तक नियुक्त करती है।

[संख्या ए-12026/3/79-एच० आई०]

हंस राज छहब्रा, उप सचिव

New Delhi, the 31st July, 1979

S.O. 2782.—In pursuance of section 16 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government appoints Dr. V. M. Charnalia, Medical Commissioner, Employees' State Insurance Corporation to look after the current duties of the post of Director General, Employees' State Insurance Corporation with effect from the forenoon of 27th July, 1979, in addition to his own charge, pending appointment of a regular incumbent.

[No. A-12026/3/79-HI]

HANS RAJ CHHABRA, Dy. Secy.

New Delhi, the 27th July, 1979

S.O. 2783.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in respect of a complaint under section 33A of the said Act filed by Shri Ganga Ram, Tyndal, Loyabad Colliery Workshop of Messrs Bharat Coking Coal Limited, Post Office Bansjora, District Dhanbad, which was received by the Central Government on the 18th July, 1979.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

In the matter of a complaint under Section 33A of the Industrial Disputes Act, 1947 (XIV of 47) in the matter of a reference No. 70 of 1975.

Complaint No. 10 of 1975

PARTIES:

Shri Ganga Ram, Tyndal, Loyabad Colliery Workshop of B.C.C. Ltd. ...Complainant.

Versus

Bharat Coking Coal Ltd., Loyabad Colliery Workshop, P.O. Bansjora, Distt. Dhanbad. ...Opp. Party.

APPEARANCES:

On behalf of the complainant.—None.

On behalf of the opposite party.—Shri S. S. Mukherjee, Advocate.

STATE : Bihar

INDUSTRY : Coal

AWARD

Dhanbad, 13th July, 1979

This is a complaint under S. 33A of the I.D. Act, 1947 arising out of Reference No. 70 of 1975. Against the complainant there was a proceeding for misconduct and after due enquiry the complainant by letter dated 23-10-1975 was dismissed by the opposite party, Bharat Coking Coal Ltd. It was contended that this dismissal was made during the pendency of Reference No. 70 of 75 in which both the complainant and the opposite party were concerned. The complaint was, therefore, maintainable and the dismissal was bad in as much as the proviso to Section 33 of the I.D. Act, 1947 had not been complied with.

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The opposite party contended in paragraph 2 of the written statement that the complainant was not a party to the dispute under Reference No. 70 of 75, and his name does not appear in the schedule of the reference notification. Furthermore, it was alleged that the dismissal had no connection whatsoever with dispute mentioned in the schedule of the reference. In this view of the matter it was contended in paragraph 4 of the written statement that the opposite party had not contravened S. 33 of the I.D. Act, 1947, and accordingly the complaint was inadmissible in law. It was further contended on question of fact that the dismissal was quite in order.

From the order sheet of this case it appears that the complainant has been either absent or filing petition for time. Some time was also taken by the Advocate on behalf of the complainant on the ground that a talk of settlement was going on. The case was fixed on 10-7-1979 for filing settlement or for hearing of the case. The complainant or his lawyer did not appear on the date fixed and the opposite party Advocate pointed out that he has verified and found that there was absolutely no talk for settlement of the dispute. This case is an old one and it appears that the complainant is prolonging the case by seeking adjournment with a feeble hope that the matter may be settled out of court by the opposite party. I am afraid we cannot go on adjourning the case. Moreover, a correct plea was taken by the opposite party in the written statement that the complainant was not a party to the dispute under Reference No. 70/75 nor was he in any way concerned with the dispute mentioned therein. In this view of the matter also the application is not maintainable so as to grant any relief to the complainant.

The application is therefore, dismissed for default.

J. P. SINGH, Presiding Officer.

New Delhi, the 27th July, 1979

S.O. 2784.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Tetturiya Colliery of Messrs Bharat Coking Coal Limited, Post Office Sonardih, District Dhanbad and their workman, which was received by the Central Government on the 24th July, 1979.

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT No. 3 DHANBAD

Reference No. 7 of 1978

PRESENT:

Shri P. Ramakrishna, Presiding Officer.

PARTIES:

Employers in relation to the management of Tetturiya Colliery of M/s Bharat Coking Coal Ltd., P.O. Sonardih, Distt. Dhanbad.

AND

Their Workman

APPEARANCES:

For Employers.—Shri B. Joshi, Advocate.

For Workman.—None.

INDUSTRY : Coal

STATE : Bihar

AWARD

Dhanbad, the 17th July, 1979

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them u/s 10(1)(d) of the Industrial Disputes Act 14 of 1947 have referred the following dispute to this Tribunal for adjudication as per their Order No. L-20012/216/77-DIII(A) dated 28th January, 1978.

SCHEDULE

"Whether the action of the management of Tetturiya Colliery of M/s. Bharat Coking Coal Limited, P.O. Sonardih, Distt. Dhanbad in striking off the name of Shri Parsadi Pasi, Pump Khalasi from the colliery roll with effect from 21st June, 1977, is justified? If not, to what relief is the said workman entitled?"

The management filed its written statement on 3-3-1978.

On behalf of the workman Shri B. K. Lat, Advocate appeared on 27-4-1978 and took time to file the statement of claim on the ground the workman was ill. From 27-4-78 till 31-3-1979 this Court was not functioning for want of a Presiding Officer and therefore the case was not called. On 31-3-1979 a notice was issued to the workman calling upon him to file his statement of claim on or before 20-4-79, on which date no one appeared on behalf of the workman.

The matter was adjourned from time to time till 25-6-79 to enable the workman to file his statement of claim. On 16-7-79 Shri Joshi, Advocate appearing for the management submitted that the workman had died on 26-5-1979 and in support of that statement he filed an application submitted by the deceased's 2nd son Suresh Kumar before the management for payment of the settlement dues of his late father and for provision of a job for himself. Therein it is mentioned that his father died on 26-5-1979. The management also examined as MW-1 Shri R. P. Parasar, Head Clerk working in the Tetturiya Colliery to prove the aforesaid application MW-1 deposed that the elder son of the deceased workman is working as an Electrician in this colliery and that he also informed him (the witness) about the death of his father. This witness further identifies the signature of Mr. Dubey, Personnel Officer on the application submitted by the deceased's second son Sri Suresh Kumar.

Since the dispute in question is an individual dispute relating to the removal of the name of the deceased workman from the muster of the colliery, it must be held that this cause of action abates on his death.

For the aforesaid reason this reference is closed as having abated consequent upon the death of the workman concerned.

[No. L-20012/216/77-D.III(A)]

P. RAMAKRISHNA, Presiding Officer.

S. H. S. IYER, Desk Officer